WHO CAN BEAT JOHN KERRY? Ryan Lizza

THE NEW REPUBLIC

HANNAH ARENDT: A SCANDAL
Shlomo Avineri

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FEBRUARY 24, 2003

ARE CONSULTANTS KILLING THE DEMOCRATIC PARTY?
Noam Scheiber

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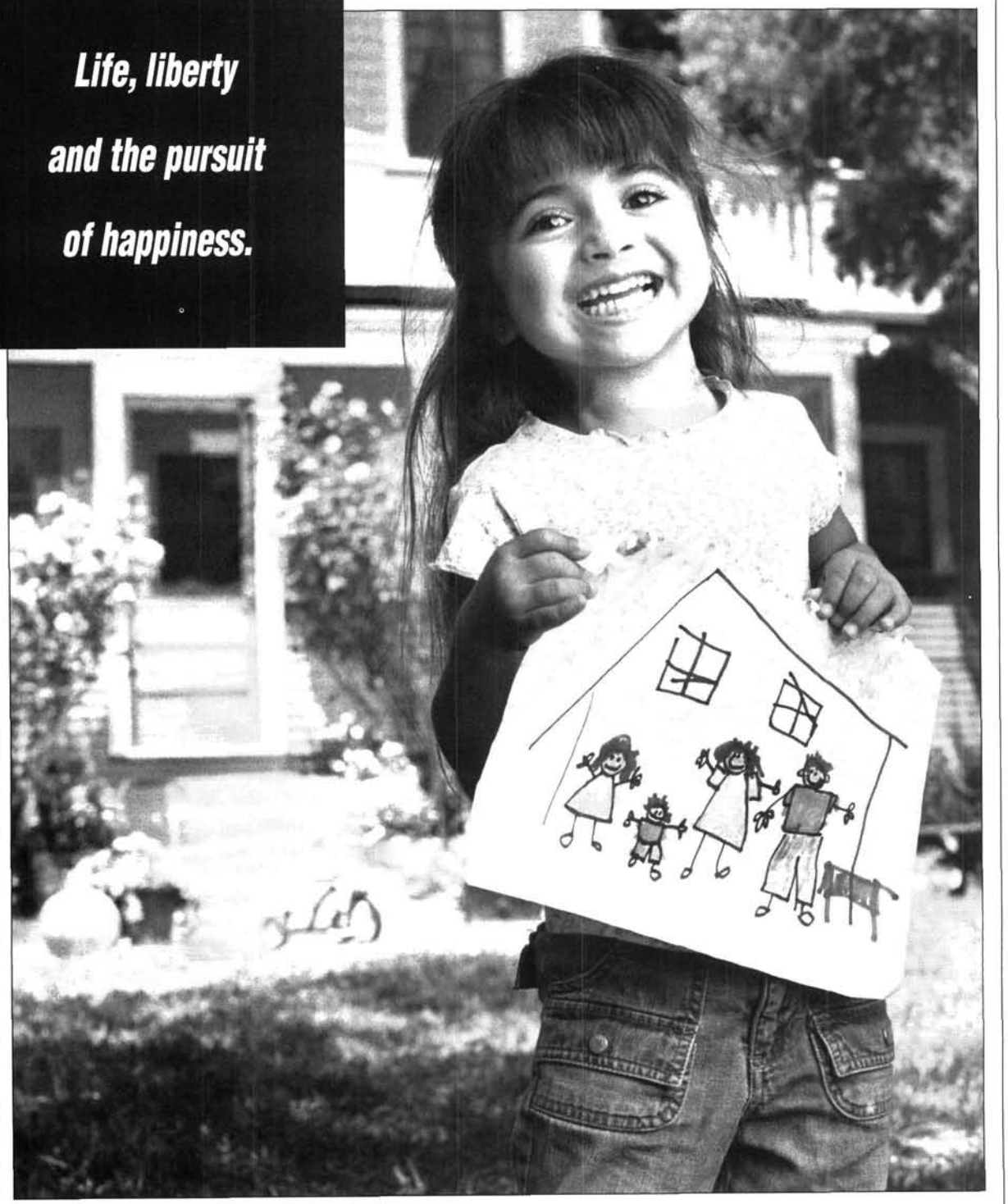

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CORRESPONDENCE

Easy rider

TO THE EDITORS:
I happen to have a Hummer, not the "new" style but the classic Hummer—just like the ones that the military use ("Axle of Evil," by Gregg Easterbrook, January 20). I think the Hummer is probably the safest vehicle on the road today. Sure, it does burn a bit of extra gas, but I ask you, what are your life and the lives of your wife and children worth to you? In fact, neither myself nor my wife and two children would be alive today if it were not for my Hummer. We were recently caught in a flash flood as we drove through Canyonlands National Park on our way to our campground. Approximately eight feet of water picked us up off the road and washed us down the canyon for about three miles. Because of the Hummer's great strength, we were able to escape with our lives. Any other vehicle would have turned over or been crushed.

I believe the Hummer combines the best features of sports cars, vans, trucks, and off-road vehicles. The only downside is the gas mileage.

ART POLLARD
Provo, Utah

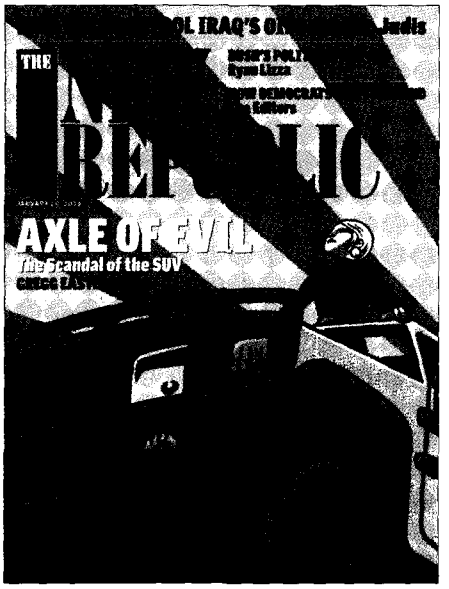
TO THE EDITORS:
Despite my acceptance of Easterbrook's overall stand on SUVs, I took personal offense at the sentiment he expressed about the role of immigrants in this "axle of evil." Easterbrook suggests, without any solid empirical evidence, that because of immigrants' homegrown bad driving behavior, the harm that SUVs can do to our society has been exacerbated.

In order to make this argument stand, Easterbrook should at least demonstrate that immigrants make up a relatively large portion of SUV drivers. As a matter of fact, because of the low socioeconomic standing of most recent immigrants, it is likely that very few of them can afford to own new compact cars—let alone huge, new or used, gas-guzzling SUVs. In this sense, Easterbrook's admission that SUVs are not cheap vehicles essentially stands his rhetoric on immigration on its head.

CHEN WANG
Troy, Michigan

Gun play

TO THE EDITORS:
Has Eli Kintisch ever fired a .50-caliber weapon of any type ("Easy Shot," January 20)? I have had friends use them in civilian and military roles, and they can attest to one simple fact: They are damn hard to



shoot. They take physical strength and quite a bit of training to use effectively. Now, try holding one at a better-than-45-degree angle and then hitting a moving plane in the right spot. That would take a highly trained team, not just one man. Now these sorts of snipers are generally trained specifically in one type of firearm. What this means is that Mohammad Blow is not going to go out and buy a Barrett and the next day shoot an airliner out of the sky. He might with a Stinger missile but certainly not with a .50-caliber rifle.

I guess THE NEW REPUBLIC thinks it's better to rail against the National Rifle Association than to actually support common-sense immigration legislation that would limit the access of potential terrorists to the United States. Let's regulate the *proven* threat (noncitizen males, 18 to 40 years in age from Middle Eastern countries on student visas or expired tourist visas) rather than the *unproven* threat of .50-caliber target rifles.

LIAM COLVIN
Grand Rapids, Michigan

TO THE EDITORS:
Kintisch states that "no permanent state or federal record of the sale [is] required" for the purchase of a .50-caliber rifle. This is a false statement; if Kintisch had ever actually purchased a real live gun in his life, he would know that you have to fill out Form 4473, which is permanently kept on record at the place of purchase and is part of the inspections conducted by the Bureau of Alcohol, Tobacco, Firearms and Explosives on Federal Firearms License holders.

He also claims that these weapons may be attractive to terrorists, but it seems to me that terrorists prefer small, concealable weapons, such as box-cutters, not 50-pound, five-foot-long firearms.

JOE DOUGHERTY
Edgewood, New Mexico

ELI KINTISCH REPLIES:
Fifty-caliber weapons may be difficult to use, but that shouldn't prevent us from better regulating them. After all, just because Al Qaeda's last attack on airplanes involved a low-tech method, it is unreasonable to assume that terrorists couldn't master more complex and lethal weapons. Terrorists in Afghanistan have had access to these guns in the past for training. Essam Al Ridi, a witness in the 2001 federal trial for the embassy bombings in Africa, testified that Muslim militias under Osama bin Laden had obtained twenty-five .50-caliber rifles from the United States in the late '80s for use against the Soviets.

Joe Dougherty is correct that the Federal Form 4473, kept on location at gun shops, is required by law to document the sale of guns. I regret the error. But, in order to find out whether a terrorist suspect had purchased any gun, 4473 records would usually have to be searched *manually* by agents going from one shop to another. Federal records of background checks for approved gun purchases are destroyed from the central database after 90 days, and John Ashcroft has even proposed shortening this to 24 hours. When federal agents tried after the September 11 attacks to cross-check these records with terrorism watch lists, Ashcroft blocked the move. As for concealment, Anzio Ironworks sells .50-caliber guns that weigh as little as 16 pounds and are shorter than many shotguns.

Curb appeal

TO THE EDITORS:
Lee Siegel's analysis of Larry David is a classic textual misreading ("The Little Things," January 13). Siegel is repulsed by David's humor because he believes it not to be subversive enough; more specifically, he sees David as championing the "big

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The editors welcome correspondence from readers. Please address letters to Correspondence, TNR, 1331 H Street NW, Washington, D.C. 20005 (letters may also be sent electronically to tnr@aol.com). All letters should include the writer's full name, address, and telephone number; be typed double-spaced; and be fewer than 200 words. Letters may be edited for space and clarity. Please do not send letters via fax.

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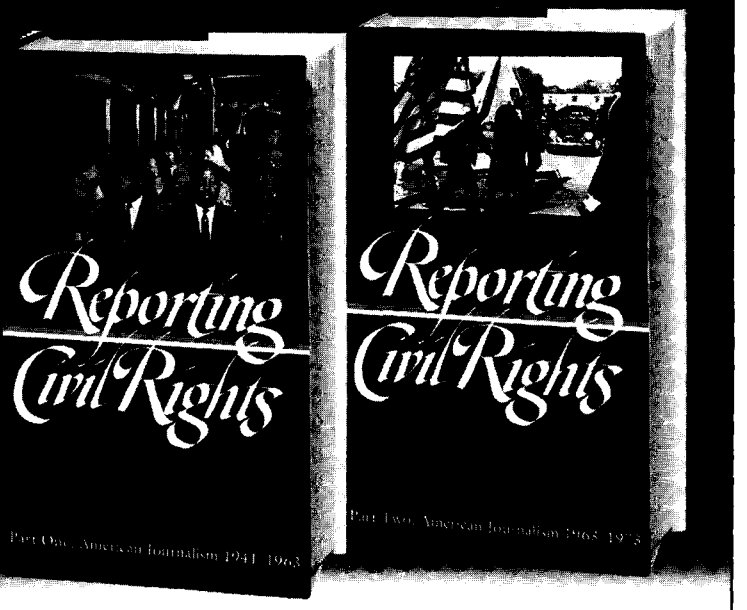

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THE NEW REPUBLIC

TRB

FROM WASHINGTON

Crass Act

WHY DON'T MY fellow hawks ever discuss America's history with Saddam Hussein? I don't mean the 1990s, when Bill Clinton tried to ignore the Iraqi dictator—hawks (especially Republican ones) discuss that all the time. I mean the 1980s, when Ronald Reagan and George H.W. Bush armed him. The history is appalling, and it involves key officials shaping Iraq policy today. Yet barely anyone to the right of Ramsey Clark seems to care.

Saddam first used chemical weapons, in particular mustard gas, in 1983, in his war against Iran. By October of that year, according to recently declassified documents, the United States knew he was using them "almost daily." But the Reagan administration wasn't bothered. To the contrary, that December it sent Middle East envoy Donald Rumsfeld to Baghdad. According to the book *Spider's Web: The Secret History of How the White House Illegally Armed Iraq*, by *Financial Times* reporter Alan Friedman, Rumsfeld presented a letter from Reagan that proposed restoring diplomatic relations and offered U.S. military and economic assistance. When Iran launched a new offensive in February 1984, Saddam added tabun, a lethal nerve gas, to his chemical repertoire. In the spring of 1984, Rumsfeld returned for another visit. By November, the United States and Iraq had restored diplomatic relations.

It gets worse. Records from the Centers for Disease Control and Prevention and a 1994 Senate Banking Committee investigation show that during Reagan's presidency, the United States sold Iraq anthrax, bubonic plague, and botulinum toxin, all supposedly for medical research. In 1988, the Commerce Department approved Dow Chemical's sale of $1.5 million worth of pesticides to Baghdad, even though many in the administration suspected Saddam would use them for chemical warfare. Over congressional opposition, the Reagan administration sold Iraq twin-engine Bell "Huey" helicopters, which appear to have been used in Saddam's chemical attacks on the Kurds.

All this was justified at the time, of course, by the need to stop fundamentalist Iran. But, by August 1988, the war between Baghdad and Tehran was over. And yet Saddam continued his genocidal "Anfal" campaign against the Kurds, which by late 1988 had resulted in close to 100,000 deaths, most of them civilian. So, in September 1988, then-Senator Claiborne Pell of Rhode Island introduced the Prevention of Genocide Act, which would have ended all U.S. aid to Baghdad. The bill passed the Senate, but the Reagan administration helped scuttle it in the House. And, when George H. W. Bush became president the following year, he doubled U.S. agricultural loans to Iraq—money that, it would later be revealed, Saddam was partly diverting to the military. As Samantha Power points out in *A Problem from Hell: America and the Age of Genocide*, the Bush administration in 1989 refused to join twelve other democracies in calling for a special U.N. investigation of human rights in Iraq. In 1990, Bush's Commerce Department even considered selling Baghdad large numbers of "skull furnaces," valuable to Iraq's nuclear program. At the last minute, Iraq's invasion of Kuwait scuttled the deal.

Only left-wingers discuss this history. And for them the lesson is obvious: The Bush administration's current outrage at Saddam's crimes is bogus. If people like Rumsfeld, Dick Cheney, Colin Powell, and Richard Armitage (all of whom held prominent government positions in the '80s) really cared about the Iraqi people, they wouldn't have helped Saddam brutalize them in the '80s. And, since the United States doesn't care about the Iraqi people, our real motivation for war must lay elsewhere—either in a thirst for world domination, or oil, or both.

I think the left has it wrong. First of all, France and the Soviet Union sold Saddam even more military equipment in the '80s than Washington did. So, if America's history of ignoring human rights in Iraq makes leftists cynical about our motives for war today, they should be just as cynical about France's and Russia's motives for opposing war (i.e., they'd be perfectly happy to go back to doing business with Saddam). Second, it is precisely because the United States abetted Saddam's repression in the '80s that we should atone for our sins and depose him today. Certainly the left never argued that because for decades the United States coddled apartheid South Africa, it should not have switched course and imposed sanctions. The antiwar movement can't simultaneously decry the United States for appeasing Saddam in the '80s and demand that it continue that policy today.

But, if the antiwar movement misuses America's shameful history with Saddam, hawks ignore it altogether. (A LexisNexis search turns up not a single reference to Rumsfeld's Baghdad trip in either *National Review* or *The Weekly Standard* or by any major conservative pundit on television.) Hawks seem to assume that because they support war now, people like Rumsfeld have learned from their past. But it's not that simple. Just because the United States is going to war with Saddam doesn't mean we're liberating the Iraqi people. It's far from clear whether the Bush administration will help build a democracy in post-Saddam Baghdad rather than simply install another strongman. Already, the United States is considering allowing Turkey to send its troops into northern Iraq, with potentially disastrous consequences for the long-suffering Kurds. And Afghanistan doesn't offer much reason for optimism: The Bush administration's reluctance to expand the peacekeeping force beyond Kabul has condemned much of the country to instability and violence.

It would be nice, then, if prominent Bush officials acknowledged their past moral culpability and vowed not to betray the Iraqi people again. Rumsfeld should have trouble sleeping at night given his role in abetting Saddam's crimes. Instead, last fall on CNN, he insisted that in 1983 he "cautioned" Saddam about chemical weapons. But State Department notes from the meeting show no such thing. (Rumsfeld did mention chemical weapons to then–Foreign Minister Tariq Aziz, but only in passing—as one of various issues that concerned the United States.) In testimony before the Senate Armed Services Committee last September, Rumsfeld said, "It would be a shame to leave this committee and the people listening with the impression that the United States assisted Iraq with chemical or biological weapons in the 1980s. I just do not believe that's the case." But, according to recently declassified State Department documents reviewed by *Newsweek*, *The Washington Post*, and the Associated Press, *it is the case*.

It is a testament to Rumsfeld's immense arrogance and lack of moral reflection that neither on CNN nor before the Armed Services Committee did he betray the slightest hint that he or the administration he served did anything wrong in the '80s regarding Saddam Hussein. That's not a reason to oppose this war. But it sure makes me wish a better man were running it.

PETER BEINART

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Wither NATO?

TOUT SE COMPLIQUE. The strident obstructionism of France and Germany, and their attempt to lead an insurrection within NATO against the use of Western force against Saddam Hussein, even to the point of violating the treaty commitments of the alliance to the security of its own members (in this case, Turkey)—this is a genuinely momentous turn of events that should not be understood merely as a comedy of national character.

The petulance of these European states seems farcical, but in fact it is the expression of a profound historical transformation. It is not clear that the Europeans are entirely cognizant of this transformation, but it is essential, if the United States is to manage its global responsibilities effectively, that Americans be cognizant of it. For it is not the strategic impertinence of Europe that we are beholding, it is the strategic obsolescence of Europe.

Dissolve now to the mists of time, that is, to 1945. World War II, which left the fate of Europe in the hands of the United States and the Soviet Union, seemed to have pushed Europe away from the world-historical center to the world-historical periphery. For the next four decades, however, the marginality of Europe, its decline into relative powerlessness and ardent nostalgia, was obscured by the harsh suspense of the cold war. The division of Europe kept the continent at the front lines of the most significant global fact of the age: the contest, philosophical and political, between the United States and the Soviet Union. And so the Western European countries retained their importance as the countries of NATO, just as the Eastern European countries retained their importance (but so, so unhappily) as the countries of the Warsaw Pact. Throughout the cold war, the European sensation of being smack in the middle of the most dangerous and decisive conflict on earth was not at all illusion.

When that conflict ended, the self-importance of Europe finally became an illusion, a psycho-strategic disorder. The kicking and screaming of France and Germany in recent weeks is the direct consequence of the collapse of the Soviet Union and the termination of the cold war. In these new circumstances, Europe is rather lacking in strategic ontology. Indeed, Europe has gladly acquiesced in its withdrawal from grand historical action, exchanging the burdens of military power for the blandishments of a continent-wide embourgeoisement, for what Robert Kagan has rightly called a "post-historical paradise." A European way of life was preferred to a European presence in the world. In this sense, the European Union represents the antithesis of NATO, and the retort to it. Meanwhile, new powers and new threats, new allies and new enemies, were emerging in regions very far away from the Louvre.

There was one place, though, where time stood still. That place was Turtle Bay. The United Nations continued for half a century to confer special authority upon the states that possessed special authority at its founding. The "permanent membership" status of France on the Security Council is not so much an outrage as an anachronism. Maintaining the diplomacy of the 1940s in perpetuity is rather like maintaining the technology of the 1940s in perpetuity; but the United Nations does not still use rotary telephones. The protest of Jacques Chirac against the contemporary world order is the protest of a rotary telephone. (The notion that his protest is based on principle is too ridiculous to consider.) He is teaching his country and his continent to deny reality, which is never a wise teaching.

No, not his entire continent. There are some European states, some NATO members, who understand the justice of the American campaign and the necessity of American leadership. If Americans are from Mars, some Europeans are from Vilnius. And Spain and Italy have demonstrated that even old Europeans know how to exist in the present. But then there is Belgium, which roars that the weapons inspectors in Iraq must be given more time. There was once a great French poet whose cherished term for mediocrity was *l'esprit Belge*. This week *l'esprit Belge* is running wild in geopolitics. Never mind. The bruised ego of Europe is less dangerous to the world than the hidden arsenal of Saddam Hussein. And our cultural affinity for Europe has outlived our strategic affinity for Europe. The American sense of the world is right and clear: nation-building in Kabul and Baghdad, vacation-building in Paris and Berlin. The world really has changed. ■

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LET THEM EAT SAND: Of all the outrages in the budget proposed by the White House last week, there is none more outrageous than the administration's decision to exclude the price tag of the war with Iraq and the subsequent, post–Saddam Hussein reconstruction of the country. Defense Secretary Donald Rumsfeld says it is "not possible to predict what [war and reconstruction] would cost." Some White House officials seem to think that Iraq's oil revenues will largely cover the cost of rebuilding the country. Yet the Congressional Budget Office has estimated that the cost of occupation alone will be as much as $48 billion per year, a sum that Iraq's decrepit, battered oil industry will not be able to manage. The worrying truth is that the administration is afraid to discuss the cost of the war because it is afraid to discuss what "war" will mean—that is, not just how we will prosecute the fighting but what, if anything, we plan to do once the shooting stops. (We're already seeing this kind of postwar fecklessness in Afghanistan, where the administration has refused to expand peacekeeping efforts beyond Kabul, has yet to appropriate $3.3 billion in aid authorized by Congress, and has thus far failed to follow through on many reconstruction projects.) The White House believes that, thanks in part to Vietnam, Americans are wary of making new commitments to station troops in foreign countries, an aversion bolstered by such disasters as the Somalia intervention. As a result, the White House is refusing to prepare the country to face the costs of the battle and reconstruction ahead. To make matters worse, the administration is simultaneously reducing the possibility that Europe or Japan will pay for postwar rebuilding since our allies want to see that Washington has a plan for post-Saddam Iraq before they open their wallets. Rebuilding Iraq—fixing the country's infrastructure, aiding millions of potential refugees, keeping the peace, building a democracy—will not be easy. But all these tasks are inextricable parts of any postwar strategy and, by extension, unavoidable elements of any serious discussion about going to war. By avoiding the cost debate, the administration is hoping to put off the real war debate. As Budget Director Mitch Daniels explained last week, "We all earnestly hope that there will be no war and that that could be averted." No, they're reconciled to war—they just earnestly hope they won't have to pay for it.

HUMBLE PIE: Speaking of Mitch Daniels: Has the man any shame whatsoever? In his testimony before the Senate Budget Committee last week, Daniels tried to deny that the Bush tax cuts had contributed to the budget deficit. Democratic Senator Kent Conrad objected, "I am talking about the ten years of this budget window. The tax cuts have played a major role in the return to deficits and burgeoning debt. That's undeniable. That's a fact." To which Daniels replied, "Well, sir, your comment moves me to use a four-letter word: bunk." Bunk? The Office of Management and Budget—*the organization of which Daniels is the director*—has conceded that tax cuts reduced revenues by $94 billion in 2003 and $1.5 trillion over ten years. Conrad, somewhat incredulously, followed up, "The tax cuts have no part in the increase of deficits over the ten years of this budget?" At which point Daniels asserted, "The only deficit we know about is the deficit we're experiencing right now, perhaps the deficit for next year. Let's be a little humble about what we can and cannot see going forward." Two years ago, of course, Daniels argued that long-term budget surpluses were so big and so certain to keep getting bigger that we might as well enact a huge tax cut. "Well, we really can't miss," he replied in 2001 when questioned about the reliability of ten-year forecasts predicting enormous surpluses. Now Daniels is saying budget forecasts are so unreliable that we don't even know whether the large and growing deficit will even be there *two years* from now—so we might as well cut taxes again. Maybe it's just us, but Daniels's mind-blowing budgetary dishonesty doesn't seem like anything to be humble about.

COLLECTION PLATE: While traveling with Al Sharpton in Greenville, South Carolina, for last week's cover story, TNR senior editor Michelle Cottle made a disturbing discovery: At both churches where the reverend gave Sunday sermons, the local ministers made a big pitch to their members to contribute to the reverend's presidential campaign; but, also at both stops, congregants were instructed to make their checks out to the National Action Network (NAN), the reverend's civil rights organization. Now, creative campaign finance loopholes notwithstanding, it is illegal for any money given to NAN to be used for the reverend's presidential run—a technicality that Sharpton's lawyer and campaign counselor, Sanford Rubenstein, acknowledged when TNR asked him about the apparent impropriety. Initially, Rubenstein, who was present at both churches, explained that the first pastor had been confused and that the situation had been cleared up before the group's second stop. (This was not in fact the case.) Rubenstein then insisted, repeatedly, that Sharpton's South Carolina trip was in the name of Martin Luther King Jr. and civil rights, and so any donations collected were "love offerings" for his civil rights work. When reminded that both ministers had been very specific about the donations being for the reverend's campaign, Rubenstein again shifted gears, insisting that the reverend's entourage had left the second church before the offering was collected. Not exactly. The group did duck out of the sanctuary before the service was over (the reverend had to hit the church restroom to get ready for a CNN interview across town) but not before the deacons had begun collecting a special offering "to help the reverend on his way." The question is not whether the members of these churches would have made "love offerings" to Sharpton's civil rights organization if they'd been asked to. They probably would have. But the congregants were led to believe that their donations were for something else altogether. If Sharpton's

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unimpeachable reputation weren't so well-established, one might almost suspect the reverend of intentional dishonesty. Almost.

LOST IN TRANSLATION: Two weeks ago, *The Wall Street Journal* reported on a closed-door meeting in which Alan Greenspan raised doubts about the latest Bush tax cuts before a bipartisan group of senators. According to the *Journal*, Greenspan told the senators that the economy didn't need more fiscal stimulus and that, even if it did, President Bush's long-term proposals probably wouldn't provide it. The *Journal* also reported that Tom Daschle had pronounced the Bush plan "dead on arrival" the following Sunday largely on the basis of Greenspan's comments. But the idea of the Fed chairman denigrating a colossally irresponsible tax-cut proposal apparently didn't sit well with Bob Novak. And so the dean of conservative punditry decided to set the record straight, with a column titled "WHAT GREENSPAN REALLY MEANT." "In truth," wrote Novak, "what the immensely influential Federal Reserve chairman said was favorable to the proposed repeal of taxes on dividends. ... Greenspan, renowned as the world's most politically savvy central banker, surely knew that he could expect neither confidentiality nor accuracy from a dozen U.S. senators. If Greenspan really chose to break with the president on taxes, there are many better ways that he could have sent a more precise message. Instead he was engaging in unrestricted Greenspan-speak, and Democrats determined to checkmate George W. Bush capitalized on his carelessness." Well, Novak was right about one thing. Greenspan *did* have a better way to break with the president on taxes—his appearance before the Senate Banking Committee this week. There, Greenspan reiterated his position that the economy doesn't need more stimulus. Then he took the administration to task for pretending there's no link between deficits and interest rates and scoffed at the administration's claim that economic growth alone can eliminate deficits. For good measure, Greenspan even suggested that, while the dividend tax cut might be a good idea in principle, it would only be a good idea in practice if its costs were offset by tax increases elsewhere—which, for the son of George H.W. Bush, is as good as saying it shouldn't happen at all. That precise enough for you, Bob?

HOME NEWS: We are pleased to announce the publication by Encounter Books of *The War over Iraq: Saddam's Tyranny and America's Mission* by TNR senior editor Lawrence F. Kaplan and William Kristol, editor of *The Weekly Standard*. The book makes the case that the liberation of Iraq ought to be but the first installment of a much more ambitious campaign: to undermine, resist, and defeat tyrannical regimes across the globe. We are hopeful that the ideas in its pages will be read and debated long after Iraq is free. ■

INSIDE THE BOX | Bruce Reed

TUG OF WAR Bush warns Iraq that the game of hide-and-seek is over: "I can't count any higher!"

INSPECTORS CLOUSEAU

France, Germany, Russia hatch secret plan to give Saddam more time. Bush's new nemesis: the Axis of Feeble.

LOOKING BACKWARD Representative Coble says U.S. put Japanese in internment camps for their own good. Next on GOP's "Great Moments in American History": "Custer Was Framed!"

HAIL MARY Education Secretary Paige orders schools to let kids pray outside classroom: "That's the only way our testing plan will work."

TWIN ONE FOR THE GIPPER

Nancy Reagan uses husband's birthday to come out for cloning. Rove's response: "But we already cloned Reagan!"

GLOBAL WARMING New book says Earth will vaporize in 7 billion years. White House response: "As long as the emissions-reduction targets are voluntary, that's a timetable we can live with."

THE PRICE IS RIGHT George Clooney will star in ten-part HBO series about K Street. Deaver's reaction: "It's about time we had a 'West Wing' for Republicans."

ON THE DOLE CEA Chief Hubbard says Bush economic plan is "pro-poor": "What better way to end the shame of poverty than to make the whole nation go broke?"

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Campaign Journal

Front Load

By Ryan Lizza

He can't even be straight about his prostate cancer. That was the uncharitable—and off-the-record—reaction from more than one Democratic presidential campaign after Senator John Kerry's February 11 announcement that he had the illness and would be undergoing surgery. What should have been a moment of sympathy for Kerry was already morphing into another story about his candor.

It happened with the very first question at Kerry's press conference. "Senator Kerry," *The Boston Globe*'s Glen Johnson demanded, "why didn't you answer truthfully ten days ago when you were asked directly if you were sick, given that you were diagnosed with prostate cancer on December 23 and it's now mid-February?" (Johnson had noticed earlier in the month that Kerry appeared tired and run-down and had asked the senator if he was sick or had a medical problem. Kerry had said no.)

Prostategate will probably soon be forgotten. Most voters won't begrudge Kerry for wanting to tell his family about his cancer before he told *The Boston Globe*, even if that meant telling a white lie. But the story comes at a moment when Kerry has emerged as the front-runner for the Democratic nomination, a status that makes him the number-one target for both the press and the rest of the field. In conversations with staff from each of Kerry's four main rivals for the nomination, several lines of criticism and plans of attack surfaced. The most consistent critique is that he is insincere, a little too ready to say whatever seems politically convenient regardless of whether it's really true. And, as Prostategate demonstrated, Kerry's opponents will take every opportunity to make this impression stick.

Kerry's emergence as the early front-runner in the race is a mixed bag for the other candidates. The person it hurts the most is probably Joe Lieberman. In 1998 and 1999, national polls of the potential Republican presidential nominees consistently showed George W. Bush leading the pack. As a front-page story in *The New York Times* discovered, many of the voters being polled actually thought Bush was his father—the polls were simply showing which candidate had the best name recognition. But, through fund-raising, endorsements, and hires, Bush quickly turned that artificial lead into a real one and never looked back. Lieberman's presence on the 2000 Democratic ticket has awarded him a similar gift. Every national poll that has been publicly released this year shows him in the lead. Yet he has failed to translate those numbers into real momentum.

Kerry has consistently been a step ahead of the Connecticut senator in the places where Lieberman should have had an edge. While Lieberman sat on the sidelines of the race last year, clinging to his pledge not to run if Al Gore did, Kerry hired some of the best talent from the Gore/Lieberman operation. Even as Lieberman took the lead on the war with Iraq and the creation of the new Department of Homeland Security, Kerry managed to establish himself as a war hero with the best national security bona fides in the race. And Massachusetts's closer proximity to New Hampshire has neutralized any benefits Lieberman's New England roots might have garnered him in the first primary. Says an aide to one campaign, "We consider New Hampshire Kerry territory. Sixty to eighty percent of people in New Hampshire read the *Globe* or get some kind of Massachusetts radio or TV. All things being equal, it's his state."

For Howard Dean and Dick Gephardt, by contrast, Kerry's emergence as the front-runner is a godsend. Dean staffers get almost giddy when asked if Kerry is the leader. Dean, whose aides usually don't dwell on the fact that Vermont shares a 192-mile border with New Hampshire, is working feverishly to keep expectations low and to create the same maverick-versus-front-runner dynamic in New Hampshire that existed in 2000 when Bill Bradley almost beat front-runner Gore and John McCain destroyed front-runner Bush.

Gephardt can't complain about Kerry's front-runner status either. "If the elite decides you're the front-runner, it brings benefits—but also a lot of risks and scrutiny," says Gephardt spokesman Erik Smith. So Gephardt has also been fighting to lower expectations, specifically the expectation that his 1988 victory in the Iowa caucus means he'll win this time around too. All the attention on Kerry has taken some of the heat off Gephardt as he prepares the major ideological and personal reintroduction he will unveil next week when he officially announces his presidential campaign in St. Louis. As the most dismissed candidate in the field, Gephardt may be ready for a boomlet of renewed interest. A (non-wobbly) hawk on Iraq and the deficit who also calls for universal health care and a global minimum wage, he won't be as easy to pigeonhole as many assume.

As some campaigns point out, the whole idea of a front-runner this early in the process, especially with such evenly matched candidates, may be silly. Kerry's recent crowning by the media is based partly on his swift creation of a large and expensive national organization, and, over the next few weeks, some of the other candidates will start to match that strength. Lieberman, whose organization was nonexistent in January, recently announced about a dozen top staffers. Over the last two weeks, John Edwards has announced his Iowa, New Hampshire, and South Carolina teams. "The front-runner thing—we're kind of happy not having that," says a senior adviser to one of Kerry's rivals. "Everybody's just looking to tear you down. It's based on a rollout of endorsements and key staff announcements over a matter of weeks. In a month, that's not going to matter." Others argue that Kerry's lead is built on a house of cards. They say his millions are buying lots of talented operatives and consultants but not loyalty or dedication. "I look at the amount he's paying staff in Iowa, and I am astounded," says an aide to a rival campaign. Another campaign says they had recently signed up a new

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staffer only to have her call back and tell the campaign she had to cancel the deal because Kerry was going to pay her more money to do nothing.

WHETHER OR NOT Kerry is the front-runner in any meaningful way, the perception that he is the man to beat means that all the campaigns have thought about ways to bring him down. Fair or not, there is one criticism you hear over and over again. "He wants to make you believe one thing, but if you look at the fine print, it's not true," says an aide to one candidate. "It feeds into that sense that I don't know who this guy is." An official from another campaign, noting two scathing columns in *The Boston Globe* last week that ripped Kerry for exploiting his recently announced Jewish ancestry, says, "These attacks are coming from the people who know him best. He's too calculated in everything he does. It plays into the myth of him filming his exploits in Vietnam or having his jaw fixed"—two longtime criticisms that, it should be noted, Kerry has explained as hyperbole (many soldiers brought cameras to Vietnam, and his jaw required surgery for medical, not cosmetic, reasons). Says a senior adviser to a third campaign, "Flip-flop is the wrong word. He just tries to have it all ways on all issues. And people want straight answers."

Fair or not, the combination of his front-runnerdom and reputation means that, like Gore in 2000, Kerry will be able to get away with a lot less than the other candidates when it comes to issues of accuracy and consistency. Edwards, for instance, has largely been given a pass on the rather ludicrous claim that he personally will abide by the NAACP's economic boycott of South Carolina while his campaign will not. Kerry would have been skewered if he'd done this. (Instead, he was one of the first candidates to make the argument that it was ridiculous to try to abide by the boycott while simultaneously trying to win the state's primary.) Similarly, Dean has been able to fudge his view on the war with Iraq—attacking his congressional rivals on the narrow question of whether they should have voted for the war resolution last year but largely failing to tell the antiwar activists he courts that he favors a multilateral attack on Iraq if Saddam Hussein doesn't disarm. During the months in which Kerry bobbed and weaved on Iraq, by contrast, he was clobbered by the media (including this magazine) on a regular basis. Lieberman has reversed himself on affirmative action, and Gephardt has flipped his position on the Bush tax cut, but the media has still treated Kerry's Jewish-heritage pander to the American Israel Political Affairs Committee as the crassest political stunt of the campaign.

The other criticisms of Kerry from his rival campaigns have more to do with his style. Some argue that Kerry will simply never be good at the retail politics necessary in Iowa and New Hampshire. "He may be winning the early elite mantle," says a senior adviser to another campaign. "But the bottom line is very simple: Unless you connect with actual voters, you don't get any votes." Asked what she thinks Kerry's biggest vulnerability is, an official with another of his opponents says, "I'd say his style. I think he's patrician and inside the Beltway." Along these lines, rivals point out that Kerry's speeches are still hodgepodges of platitudinous goo that feed into all the negative stereotypes about him.

Most of these criticisms are the same ones that have been leveled against Kerry for more than a decade. He has done a decent job of knocking some of them down over the last year, and, even with his remaining issues, has catapulted ahead of the field. Several campaign aides say that the early attacks are all so familiar because it is much too soon for anyone to pull out the heavy artillery. But, if you're wondering where that fire may eventually come from, here's a thought: As the three finalists to be Gore's running mate, Lieberman, Edwards, and Kerry all went through an insanely detailed personal, medical, financial, and ideological background check, the kind of opposition research that just might be useful to a rival campaign. One of the Gore staffers who had access to this information was David Ginsberg—who now happens to be the communications director for John Edwards. This leads at least one Democratic strategist to predict, "David Ginsberg and those guys at the Edwards campaign are going to tear [Kerry] apart." They won't be the only ones trying. ■

Diyarbakir Dispatch

Border Guard

By PRATAP CHATTERJEE

IN A WINDOWLESS studio crammed with cassettes and CDs, the phone rings nonstop for Melike Irmak, the only female Kurdish disc jockey in Turkey. She spins popular music all day on Gun Radio—including Kurdish songs that she has recently gained the right to play—in this southeastern Turkish city, home to over one million Kurds and just 150 miles from the border with Iraq. Yet, when she reads the news, she still must speak in Turkish—she risks arrest if she delivers the news in her native language.

Across town, in one of the many high-rise apartment buildings that dot this city, three-year-old Ilke looks up at her mother and smiles as she chatters to imaginary friends in fluent Turkish on a cell phone. In the past, "I could not teach my daughter Kurdish," says her mother, Eda Civiroglu, who has lived in this city all her life. "There were no schools for her to learn our mother tongue." Now, Civiroglu says, some restrictions on teaching Kurdish have been lifted, though she still worries that she cannot pass on the language because she herself speaks it so poorly.

The rights to play their own music and to learn their own

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language are just two of several concessions Kurds in Turkey have won from the Ankara government in recent years. But this Kurdish spring could be short-lived. As war with Iraq approaches, the concessions appear likely to be rolled back as Turkey plans to move troops into ethnic Kurdish areas and occupy Kurdish regions of northern Iraq. Kurds everywhere may hate Saddam Hussein, but, in Turkey, America's war against him will almost certainly make life for Kurds worse.

AS KURDS, IRMAK and Civiroglu belong to the largest ethnic group in the world without a country of its own. Some 25 million Kurds live in their traditional homelands, which straddle the borders of Armenia, Iran, Iraq, Syria, and Turkey. In many of these countries, Kurds have been oppressed by governments that see them as threats to centralized, national rule. For decades, Kurds in Turkey were subjected to constant harassment, including a near-total ban on Kurdish dress, language, and music. It was this repression that helped ignite a decades-long civil war between Kurdistan Workers Party (PKK) guerrillas and the Turkish military. Throughout the 1980s and most of the 1990s, thousands of villages here in the mountainous southeast were evacuated, bombed, and burned by the army and the guerrillas. Some 30,000 people were killed. Millions were displaced into shantytowns in major urban centers such as Istanbul.

But, over the past three years, the Turkish government has eased its repression, for two major reasons. In September 1999, the PKK officially renounced armed struggle when their leader, Abdullah Ocalan, was arrested. Meanwhile, human rights pressure on Ankara from the European Union, which is considering Turkey's bid for membership, has prompted the Turkish government to soften its persecution of the Kurds. And, as the Turkish military, which historically has played a major role in politics, relinquished its hold over many aspects of society, some civilian Turkish politicians have become more willing to welcome Kurdish culture.

In formerly war-battered southeast Turkey, these changes have had a sizable effect. In the past three years, the Turkish military has withdrawn thousands of troops from cities and towns, and Ankara also claims to have ceased secret police operations in Kurdish areas, which in the past allegedly included abductions and torture. Kurds have begun rebuilding their villages, and commerce has resumed throughout the region. Six months ago, Turkey partially lifted the bans on teaching the Kurdish language and playing Kurdish music. In the past two years, Kurdish live-music venues have sprung up, and Kurds have begun celebrating traditional festivals, which would have been impossible in the '90s. "Finally, we were being allowed to practice our music and culture," says Veysi Bolcal, executive director of Gun Radio.

But now Turkey's Kurds fear the worst. Turkey's leaders say they want to prevent a repeat of the Gulf war, when 500,000 Kurdish refugees fleeing attacks by the Iraqi Army flooded this region. Turkish officials believe that guerrillas crossed into Turkey along with the refugees and aided the PKK insurgency. Earlier this month, the Turkish government began secret talks with the United States to allow tens of thousands of Turkish soldiers to move through Kurdish areas of Turkey and occupy the Kurdish part of northern Iraq behind an advancing U.S. Army. The Turks want to prevent Kurdish refugees from fleeing into Turkey. What's more, Turkish officials say, Ankara fears that greater autonomy for Kurds in northern Iraq could reignite unrest among Turkish Kurds.

The crackdown on Turkish Kurds, in fact, has already begun. The Turkish government has reactivated a system of village militia, which terrorized Kurdish villagers for decades, with the intention of using these militia in the occupation of northern Iraq to prevent Iraqi Kurds from fleeing. In the past, Kurdish villagers were coerced into joining these militias, which led to the emptying out of large portions of villages in Turkey's southeast as Kurdish men were forcibly recruited.

Meanwhile, the Turkish military has reintroduced paramilitary secret police across the region for the first time in years: Soldiers and police wearing ski masks began appearing in the streets of Diyarbakir in January. Hours after I arrived in town in early January from Silopi, a village on the border with Iraq, two men waved my taxi down and peered inside. One of them spoke into a walkie-talkie while the other examined my red and yellow press badge. Although neither wore any kind of uniform, it was obvious they were policemen or military of some kind. After examining my credentials, one policeman, who refused to identify himself, scribbled down my name and passport number and told me, "You can go wherever you want, but we will have to follow you until you leave town."

What's more, says Selahattin Demirtas, chairman of the local branch of the Human Rights Association, the Turkish government has reneged on some of its promises to allow the expression of Kurdish language and culture. Although Ankara has allowed Nawroz, the Kurdish New Year festival, to be held every March for the last three years, the government is threatening to jail seven of this year's Nawroz organizers for using the letter W, which exists in the Kurdish alphabet but not in the Turkish one. Kurds say Turkey has also started cracking down on parents who give their children Kurdish names. Secret police are once again checking the birth certificates of children in Kurdish towns and villages, justifying their actions under a constitutional clause that children must be named "in a manner appropriate to our national culture, moral principles, and customs."

IF THE UNITED STATES allows Turkey's military to occupy northern Iraq, Kurds fear the crackdown in Turkey may become worse. As a result, many Kurds, a group the United States needs support from for a war with Iraq and a post-Saddam reconstruction, have grown more hostile to a conflict. "Turkey has no scruples about using an iron fist to crush the Kurds. And, at the end of the day, Kurdish suffering means nothing to Washington," says Kani Xulam, director of the American

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Kurdish Information Network in Washington, D.C., and a native of Diyarbakir. "A war in Iraq will allow them to get away with murder."

Indeed, isolated gun battles between the Turkish military and the Kurds have already broken out in recent weeks in the region, and many Kurds fear that, in the event of war, Ankara will reestablish the total military rule it had exercised in the region in the '80s and '90s. Renewed military rule also would strangle the Kurdish area's economy, which has just begun to recover from years of stagnation. Recep Yilmaz, a Kurdish trucker from Ankara, had just returned from a journey to Iraq in early January when I spoke with him. "What does George Bush want?" Yilmaz asked me. "If somebody gave me a chance, I would definitely go to Washington and tell him, 'Don't go to war with Iraq.'" ■

Why Bush's h-car is just hot air.

Car Talk

By Gregg Easterbrook

"A single chemical reaction between hydrogen and oxygen generates energy, which can be used to power a car producing only water, not exhaust fumes. With a new national commitment, our scientists and engineers will overcome obstacles to taking these cars from laboratory to showroom so that the first car driven by a child born today could be powered by hydrogen and pollution-free." President Bush said these words during his State of the Union address, introducing the FreedomFUEL proposal—which is really how the White House spells it. The president wants to spend $1.2 billion over the next five years to research the production of hydrogen as a replacement for gasoline in automobiles.

Someday men and women will probably drive cars running on "fuel-cell" motors that have no pistons, consume hydrogen, and emit no pollutants, including no greenhouse gases. Between the zero-pollutants advantages of hydrogen and the fact that its supply is in principle inexhaustible, the world's petroleum-based economy will probably eventually yield to a hydrogen-based economy—to everyone's benefit. Republicans relentlessly mocked Al Gore for saying the internal combustion engine should be replaced by something better, and now George W. Bush is saying exactly the same thing.

The attraction of hydrogen is great, since hydrogen-based transportation would both be environmentally benign and reduce the need for the United States to import petroleum. But Bush's proposal joins a new convention of rhapsodizing about hydrogen-powered transportation—Jeremy Rifkin numbers among current hydrogen zealots—while skipping over the small matter of where we get the hydrogen. Worse, the White House plan offers a long-term distraction from a short-term need: While the administration dreams big about our hydrogen-powered future, it does little to improve fuel-economy standards today.

There are many impediments to a future in which fuel-cell automobiles dominate America's roadways. What form—gaseous, liquid, or mixed with metallic dust to prevent explosion should there be an accident—would the hydrogen we pump into our cars take? How would the hydrogen be moved in commercial quantities to those filling stations? Could average motorists pump hydrogen themselves, considering it is now handled only by specialists? But these are engineering questions and presumably can be answered.

Unfortunately, a cost-effective answer to the question of how to obtain hydrogen may prove more elusive than answers to questions about how to handle it. At first glance, this issue would seem simple. After all, our world contains gargantuan amounts of hydrogen—two-thirds of the oceans, for instance, are made up of this element. But the pure form of hydrogen needed to power fuel-cell cars does not occur naturally on Earth, where hydrogen is chemically bound to other elements, such as oxygen in the case of the oceans. And, while the stars contain an almost inexpressible amount of hydrogen in its pure form, stellar material will not be on sale at your local filling station anytime soon, or ever.

Because pure hydrogen does not occur naturally on Earth, any pure hydrogen for use as fuel must be manufactured. Today, pure hydrogen is most often made using natural gas as a feedstock, but that means fossil fuels are still being consumed: Basically, the process turns a fossil fuel, methane, into something that seems not to be a fossil fuel, hydrogen. Pure hydrogen can also be manufactured using petroleum or coal, which of course are the very fossil fuels whose grip we wish to loosen. And, while pure hydrogen has been manufactured from agricultural products—plants contain hydrogen bound as carbohydrates—at the research level, it remains to be seen whether this could work commercially. Enviros rhapsodize about making hydrogen from seawater. But there's a catch: Making hydrogen from water requires *loads* of electricity, far more electricity than the energy value of the hydrogen that is obtained, and something—be it a coal-fired power plant or an atomic reactor—must provide the electricity.

Indeed, the big misconception about hydrogen is that it is a "source" of energy. Pure hydrogen is not an energy source, except to stars. As it will be used in cars or to power homes and offices, hydrogen—like a battery—is an energy *medium*, a way to store power that has been obtained in some other way. Hydrogen makes an attractive energy medium because its "fuel-cycle" calculations—the sum of all steps of manufacture and use—show reductions in greenhouse gases compared with any automotive fuel burned today. But hydrogen is going to be an expensive energy medium and, in the early decades at least, will be a medium either for natural gas, a fossil fuel, or for atomic power.

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Today, the most practical means to make pure hydrogen is a process called "steam reforming" of natural gas. A natural-gas molecule has one atom of carbon and four atoms of hydrogen; "reforming" strips off the carbon atoms, leaving pure hydrogen. But not only is a fossil fuel—natural gas—the raw material of this process, energy must be expended for the "reforming" itself, meaning a net loss of BTUs. Using Department of Energy estimates, the White House says pure hydrogen from natural gas is currently "four times as expensive to produce as gasoline."

Applied engineering and commercial-scale production would surely bring down the price. The most optimistic credible projection I have seen comes from Jesse Ausubel, a specialist in "industrial ecology" at the Rockefeller University, who thinks commercial-scale hydrogen made from natural gas could be produced for about 40 percent more than the price of gasoline. That's within striking distance of a good deal. But there is a catch to this catch: Optimistic estimates for hydrogen from natural gas are based on the current low selling price of natural gas. Significant new demand for natural gas might raise its price. And, while natural-gas supplies are steady at the moment, who knows what the effect on supply would be if hydrogen manufacturing caused natural-gas consumption to skyrocket?

So maybe the hydrogen should be made from coal or petroleum. Fuel-cycle calculations show that using coal or petroleum to manufacture hydrogen would lead to some reduction in greenhouse gases but not to a big cut; moreover, we'd still be digging coal and importing petroleum. Maybe hydrogen should be made from agricultural products—"biomass," in energy lingo. But biomass feedstocks might be grown using fertilizer, which is made mainly from fossil fuels, and again the fuel-cycle calculations show only a moderate gain in pollution reduction for the large capital costs entailed in establishing an agriculture-hydrogen economy. (All hydrogen schemes, it should be noted, involve large capital costs.) Owing to these concerns, John McCarthy, a Stanford University professor emeritus of computer science, has written, "The large-scale use of hydrogen depends on using either nuclear or solar electricity." Otherwise, it's just repackaging fossil fuels.

But solar power on the scale required is far from practical. It is possible to imagine a green-dream-come-true energy cycle that uses solar collectors to generate electricity to crack hydrogen out of water: zero greenhouse gases and endlessly renewable. For the moment, solar collectors are much too expensive. The Worldwatch Institute, a much-admired, left-leaning environmental organization, recently rated sources of electricity by combining their capital cost and true social cost—that is, taking into account "externalities" such as pollution and entanglements with the Gulf states. Solar power finished *last*, much more expensive than coal-generated power, even when coal's external costs are factored in. An indicator: Solar-derived electricity currently wholesales for around ten times as much per kilowatt-hour as coal-fired watts.

Even if the price of solar power fell by orders of magnitude, there would be the not-so-little problem of where to put the solar collectors. To replace the petroleum we use to power our cars with hydrogen split from water might entail doubling America's electricity-generating capacity. Doing that with solar collectors could require covering a land area roughly the size of Connecticut with photovoltaic cells. In theory, the collectors could be put in space, where sunlight has eight times as many watts per square meter as on the ground and where no one's land need be taken. Figures in a recent study in *Science* magazine suggested that doubling the electricity-production capacity of the United States would require placing approximately 40 photovoltaic collector dishes, each the size of Manhattan, into orbit. Even if capital cost were no object and society possessed the technical means to build objects in space the size of Manhattan, such a project would take a century.

WHICH BRINGS US to atomic power, the energy source everyone loves to hate. In theory, lots of new atomic stations could be built to make electricity to manufacture hydrogen, and the stations could use new, "inherently safe" reactors designed so that they cannot melt down. (In inherently safe reactors, the atomic chain reaction is initiated in such a way that, if safety systems fail, the chain breaks; researchers have deliberately turned off all cooling and safety systems of inherently safe prototypes and nothing happens.) But political opposition to atomic reactors is intense, and capital costs here would be high as well. Some estimates also suggest that, if a significant number of new reactors were put into service, uranium—currently plentiful—would become scarce after a few decades. This could be avoided by building "breeder" reactors that make more fuel than they consume. But breeders work by breeding plutonium, and most nations, including the United States, have suspended construction of breeder reactors because such machines would increase the risk of plutonium being diverted for nuclear weapons production.

Many researchers continue to believe that "fusion" reactors, which mimic the internal process of the sun, someday will be perfected. Over the long term, fusion reactors might solve all global-energy questions, oddly, by using hydrogen to make hydrogen! In a fusion reactor, tiny amounts of hydrogen isotope are fused into helium, generating heat. (The sun fuses hydrogen into helium for its luminescence, and nuclear bombs get much of their force from fusing a small amount of hydrogen isotope.) Heat from a fusion reactor would drive turbines to make electricity; the electricity would crack hydrogen out of water in large quantities; the hydrogen would power cars or be turned back into electricity in individual fuel cells in people's homes. Though a hydrogen-to-hydrogen energy cycle might sound like a perpetual-motion machine, it could end up being the technology that someday makes global-energy needs a solved issue.

But this is all blue sky because fusion reactors barely function in the laboratory—there is nothing remotely close to a commercial prototype. And, even if a grad student ran from a laboratory tomorrow yelling, "Eureka!" and clutching the

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secret of an unlimited-energy-fusion future, it would be another century-long project to convert the world to an energy economy based on machines that simulate the centers of stars.

Realistically, these concerns dictate that, for the next few decades, hydrogen would be manufactured either from natural gas or by using power from a new generation of atomic reactors. The most cost-effective combination, some researchers think, might be natural gas heated directly by atomic reactors, whose high operating temperatures turn out to be ideal for the reforming of hydrogen from natural gas. But that means our miracle zero-emission hydrogen will be produced from fossil fuels via an intermediate stop at a nuclear reactor—not exactly what the Sierra Club had in mind.

All these drawbacks do not rule out hydrogen as a fuel, they merely represent problems to be overcome. Hydrogen is sure to enter common use someday, perhaps during the lifetimes of children now being born. After all, a century ago, smart engineers and economists would have sworn it physically impossible—to say nothing of impossibly expensive—for the world to consume 75 million barrels of oil per day, as we do today, at affordable prices. But there is almost no chance hydrogen will make a dent in energy-use patterns during a two-term Bush administration. Even the White House concedes that the earliest a significant number of service stations could offer pure hydrogen would be 2020.

WHICH BRINGS US to the downside of Bush's hydrogen proposal. The announcement makes the president sound interested in dramatic future action regarding petroleum imports and greenhouse gases, while distracting attention from the reform that is practical and affordable using technology that exists right now: higher miles-per-gallon (MPG) standards for cars, pickup trucks, and SUVs.

Bush is certainly not the first president to employ futurism to deflect attention from torpor on energy efficiency. During the eight years of the Clinton administration, federal MPG standards did not rise, while nothing was done about the fuel-efficiency exemptions enjoyed by SUVs and the misnamed "light" pickup trucks. President Clinton did, however, unveil to much fanfare a "supercar" project that promised incredible, astonishing, super-ultra-futuristic advances in mileage performance at an unspecified later date. The supercar effort, which ended up spending $1.6 billion to accomplish nothing (see "Political Mileage," by Gregg Easterbrook, October 9, 2000), was always a smoke screen. When Clinton was asked why he was taking no action on SUV mileage, he'd launch into an animated discourse about the supercar. Gore did the same, talking—like the "Futurama" caricature of himself—about 80 MPG family sedans made from recycled yogurt cartons. By resorting to discussion of speculative fantastic leaps to distract attention from bad energy policy in the present, Bush has simply taken his cue from two previous masters of petroleum-waste inaction.

And there is no escaping that energy policy remains bad in the present. True, the White House has proposed a 7 percent increase in fuel-efficiency standards for SUVs, but a loophole in the president's proposal will allow manufacturers to declare many SUVs exempt from this fairly modest new requirement. The National Research Council told the White House in summer 2001 that a 25 to 35 percent increase in SUV fuel-efficiency could be accomplished quickly using existing technology. The sorts of improvements the National Research Council envisioned would still permit the production of large vehicles and large pickups, knocking out only Godzilla-sized SUVs, such as the Ford Excursion, or those SUVs, such as the Cadillac Escalade, that get pitiful gas mileage owing to very high-horsepower engines. Yet Bush and his energy advisers apparently lack the will to face down even the relatively small Excursion and Escalade lobby. Thus, talk of the hydrogen future.

"Join me in this important innovation to make our air significantly cleaner and our country much less dependent on foreign sources of energy," Bush said in announcing the FreedomFUEL plan. Becoming "much less dependent on foreign sources of energy" should be a vital goal of U.S. policy. So why doesn't Bush take genuine action toward this end today via meaningful increases in fuel-efficiency standards, and leave futurism to the futurists? ■

Why we'd be better off without *Roe*.

Worst Choice

By JEFFREY ROSEN

"AS THE 30TH anniversary of the *Roe* decision approaches, women's right to safe, legal abortions is in dire peril," *The New York Times* wrote last month in an editorial called "The War Against Women." When *Roe* v. *Wade* turned 30 on January 22, pro-choice activists repeated the conventional wisdom that abortion rights are under siege. "A woman's right to choose is probably in the greatest danger . . . since *Roe vs. Wade* was handed down," Kate Michelman, the head of the newly renamed NARAL Pro-Choice America, told *USA Today*. "With a slim one-vote margin on the Supreme Court protecting freedom of choice," Michelman insists, *Roe* is in danger of being overturned with a single Supreme Court appointment. And, with the Senate, House, and White House in the hands of pro-lifers for the first time since *Roe* was decided, pro-choicers fear that its overturning would be followed by widespread restrictions on early-term abortion rights for the first time since the 1970s.

But the alarmism about abortion rights is wrong. Rather than hanging by a five-to-four thread, the core principle of *Roe* is supported by six justices. And, even in the unlikely event that *Roe* were overturned, the core right it protects—

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the right to choose abortion early in pregnancy—isn't likely to be threatened on a broad scale. For the past 30 years, national polls have revealed a consistent and moderate consensus on abortion: Majorities strongly oppose bans on early-term abortions and strongly support restrictions on late-term abortions. If *Roe* were overturned, the relative political weakness of the extreme pro-life position would be exposed, and the Republican Party would be torn apart at the seams because many Republicans oppose early-term bans and would desert the party in droves. "The last thing in the world the White House would want is that *Roe* v. *Wade* is overturned," says a prominent Republican congressional aide. "The reason being is that it would energize the nation's pro-choice constituency, ... and it would cause a huge fissure in the Republican Party, which has been generally harmonious over the issue because of the belief that the pro-life position will never truly be tested." At the same time, if *Roe* were overturned, the expanded and moderate Democratic majority would be free to distance itself from extremists in the pro-choice movement who persist in fighting restrictions on late-term abortions, which most Americans embrace. In short, 30 years later, it seems increasingly clear that this pro-choice magazine was correct in 1973 when it criticized *Roe* on constitutional grounds. Its overturning would be the best thing that could happen to the federal judiciary, the pro-choice movement, and the moderate majority of the American people.

DESPITE THE RHETORIC of pro-choice interest groups, there is little chance *Roe* will be overturned anytime soon because six justices—Stephen Breyer, Ruth Bader Ginsburg, Anthony M. Kennedy, Sandra Day O'Connor, David Souter, and John Paul Stevens—believe the Constitution prohibits states from banning early-term abortions. Pro-choice activists, eager to suggest that the Court is one step away from the apocalypse, note that when the Court, in a five-four decision in 2000, struck down bans on so-called partial-birth or late-term abortions, Kennedy dissented. They portray his vote as an indication that he has changed his mind on the constitutionality of all abortions, including early-term procedures. "Kennedy jumped ship," Sylvia Law of New York University School of Law recently told *Women's Enews*. "*Roe* is always hanging by a thread."

But Kennedy did not jump ship, and *Roe* is not hanging by a thread. In upholding *Roe* in the 1992 case *Planned Parenthood* v. *Casey*, Kennedy made clear that he thought the Constitution prohibited restrictions on early-term abortions and permitted restrictions on late-term ones. It was Kennedy who wrote the most sweeping and expansive sentence in that opinion upholding the core of *Roe*: "At the heart of liberty is the right to define one's own concept of existence, of meaning, of the universe, and of the mystery of human life," he wrote. "Beliefs about these matters could not define the attributes of personhood were they formed under compulsion of the State." Two and a half years ago, when the Court struck down bans on late-term abortions in *Stenberg* v. *Carhart*, adopting a far more expansive position on abortion protections than the one he originally embraced, Kennedy indicated, understandably, that he felt he had been duped. His dissent, however, didn't mean that he had abandoned his moderate position. In fact, he explicitly said the opposite: "When the Court reaffirmed the essential holding of *Roe* [in 1992], a central premise was that the States retain a critical and legitimate role in legislating on the subject of abortion, as limited by the woman's right the Court restated and again guaranteed," Kennedy wrote in his dissent in *Stenberg*. "The Court's decision today ... repudiates this understanding by invalidating a statute advancing critical state interests, even though the law denies no woman the right to choose an abortion and places no undue burden upon the right."

For the Court to overturn *Roe*, then, two of the six justices who oppose bans on early-term abortions would have to retire, and both would have to be replaced by committed opponents of the core of *Roe*. Even in a second term by George W. Bush, this is unlikely to transpire. Conventional wisdom, for what it's worth, holds that O'Connor and William Rehnquist are most likely to retire, giving Bush one pro-choice seat to replace, not two. And, even in the unlikely event that O'Connor and Stevens were to retire, Bush is unlikely to replace both of them with committed opponents of *Roe*, because his advisers know that the decision's reversal would be a disaster for the party. Indeed, when Karl Rove was asked at a press coffee last month whether *Roe* should be overturned, he dodged the question. "Rove understands the political calculation, and he's never been a zealous pro-lifer," says a GOP pollster who asked not to be identified. "Hard-core conservatives want someone who passes the Souter test and will overturn *Roe*, but, for the Republican political establishment, that's the nightmare scenario." For this reason, it seems unlikely that Bush would risk nominating two hard-core opponents of *Roe*. Given the political firestorm that would ensue, it seems even less likely that two would be confirmed.

THAT MAY BE too bad for Democrats, because overturning *Roe* would expose the fundamental weakness of the extreme anti-abortion position. In the 30 years since the decision, public opinion about abortion has remained remarkably stable. As Everett Ladd and Karlyn Bowman of the American Enterprise Institute have noted, national polls from 1975 to the present suggest that public opinion on abortion for the past three decades has consistently included extremes on both sides that favor either no restrictions or total bans—each of which command about 30 and 20 percent support, respectively—and a vast majority in the middle that opposes both early-term bans and late-term abortions. Americans have reached a moderate consensus: In a CNN/Gallup/*USA Today* poll last month, 66 percent said abortion should be legal during the first three months of pregnancy; by the second trimester, when the fetus becomes viable, only 25 percent said abortion should be legal; and, by the third trimester, when so-called partial-birth abortions would be

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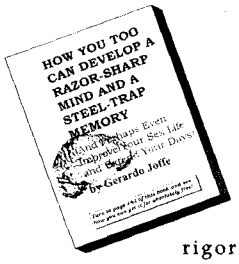

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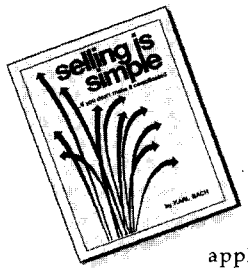

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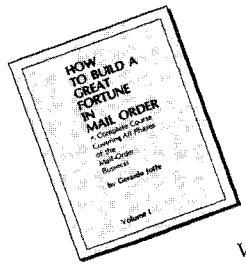
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performed, only 10 percent say abortion should be legal. These numbers, too, have remained entirely consistent during the three decades since *Roe* was decided.

Despite these national trends, if *Roe* were overturned, it's true that some states would try to regulate early-term abortions. The precise number is hard to estimate. After the Supreme Court gave the states greater leeway to restrict abortion in 1989, only two legislatures—Louisiana and Utah—passed laws to ban early-term abortions (except in cases of rape or incest or to save the woman's life), and both were quickly struck down. By examining public records, including the campaign statements of governors and state legislators, NARAL estimates that twelve states "would likely ban abortion in all or most circumstances if *Roe* is reversed (AL, FL, LA, MN, MS, MO, NE, ND, OH, SD, TX, UT)." Ann Stone of Republicans for Choice offers a much lower estimate, arguing that first-trimester bans have a fighting chance of passing only in Louisiana, Mississippi, Missouri, Ohio, and Utah. Political scientists in several of the states on NARAL's list concur: They believe legislators in their states would be cowed by popular opinion. "Florida is basically a socially progressive state in its broad outlook; it is more pro-choice than pro-life on balance, and I don't believe the political culture in Florida really supports first-trimester bans," says Stephen Craig, a professor of political science at the University of Florida. "I would be surprised if a first-trimester ban made it into law, and I quite frankly would be surprised to see the Florida legislature even try to take such a draconian step." In North Dakota, says Robert Wood, a political science professor at North Dakota State University, "an absolute ban probably wouldn't pass. It's generally a conservative state but with a strong strain of libertarianism."

GOP pollsters suggest that even legislators in the most conservative states would feel pressure from popular opinion to allow abortion not only in cases of rape or incest but also when a woman's physical or even psychological health is threatened, a broad category that would allow women and their doctors flexibility. "I think it would be hard to get a total ban through any state legislature, even Utah, because the vast majority of Americans believe that abortions are undesirable but ought to be allowable under certain circumstances," says Republican consultant Whit Ayres. And, in the handful of states that are most likely to restrict abortion except in cases of rape or incest or to save the mother's life, local scholars suggest that popular opinion tends to be more liberal than the pro-life base and that a sweeping ban would provoke a political backlash. "I think there would be a strong reaction against strict controls if the Ohio legislature passed them," says Michael Burton of Ohio University. "It would certainly cause real problems within the Republican Party in Ohio, where the Republican voters are suburban and more liberal than the legislature on most social issues." Bill Richardson of the University of South Dakota predicts a similar dynamic in his state. "I wouldn't be surprised to see a first-term-ban bill introduced" if *Roe* were overturned, he says. "But I think the population is more moderate." In all these states, pro-choice voters were willing to vote for pro-life candidates because they knew *Roe* would prevent their positions from being enacted; if *Roe* were overturned, they would have to think again. Pro-life legislators, as a result, would themselves think long and hard before pulling the trigger to overturn *Roe*.

And, even if a handful of state legislatures did pass restrictions on first-term abortions, the political consequences would energize the pro-choice movement and hurt the Republican Party far more than it now benefits from pandering to the pro-life extremists. "You have a sizable number of Republican women and men who are in the vast middle group that tilt more toward the choice side," says Norman Ornstein of the American Enterprise Institute. If *Roe* were overturned, "it would help to redefine the Republican Party as a pro-life party. If anything could lead to realignment, I imagine this could do it. We're talking about a country at parity, and, if we see a shift of two or three or four percent, it could make a significant difference."

Under this kind of pressure, it wouldn't be long before Congress felt compelled to pass a federal abortion bill that mirrored popular sentiments on abortion, protecting early-term and restricting late-term abortions. Even a Republican Congress, Ornstein suggests, might ultimately pass a moderate bill along these lines, "especially if it looked like their support was hemorrhaging out there. You'd find an awful lot of Republicans saying, 'We have to take a middle ground here.'" Indeed, a Freedom of Choice Act that protected early-term abortions would have passed during the Clinton administration except for the fact that pro-choice activists refused to accept any federal legislation that failed to guarantee federally funded abortions for poor women—a position rejected by a majority of Americans. "We missed an opportunity because there were some who thought it didn't go far enough," Michelman told me.

The fact that we are about to fight another Supreme Court nomination battle by flyspecking the nominees' views on *Roe* points to the real costs of the decision today. Thirty years after *Roe*, the finest constitutional minds in the country still have not been able to produce a constitutional justification for striking down restrictions on early-term abortions that is substantially more convincing than Justice Harry Blackmun's famously artless opinion itself. As a result, the pro-choice majority asks nominees to swear allegiance to the decision without being able to identify an intelligible principle to support it. And the pro-life minority can criticize the legal weakness of the decision without having to acknowledge its political weakness in the country as a whole.

Thirty years ago, opposing *Roe* on constitutional grounds, Alexander Bickel wrote for the editors of this pro-choice magazine, "[I]t may take some time before the realization comes that this will not do." After three decades, it has become more obvious than ever that Bickel was correct and that the costs of retaining *Roe* outweigh any benefits. For better or for worse, *Roe* will not be overturned any time soon. But, if it were, the Democrats, the federal judiciary, and the moderate majority of American people could breathe a sigh of relief. ■

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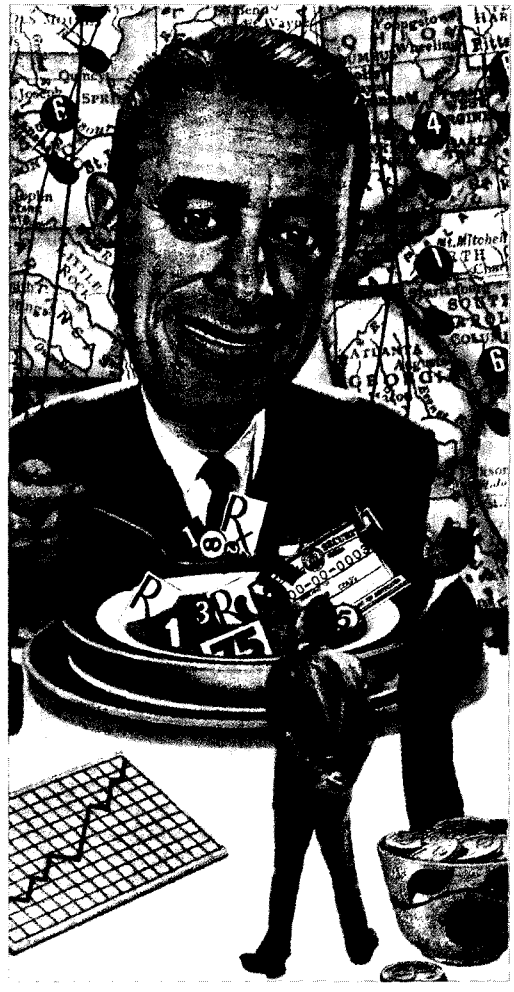
The people who really run the Democratic Party.

Exit Poll

By NOAM SCHEIBER

JUST BEFORE THANKSgiving, a political consultant who'd recently worked for a successful Democratic candidate got a call from a friend of his working on the 2003 gubernatorial campaign in Kentucky. The Kentucky campaign aide wanted his friend's advice on an important speech his candidate was slated to deliver. But, when the consultant read the speech, the language sounded eerily familiar. "I called him back and said, 'Is Mark Mellman your pollster?'" the consultant recalls. "Yeah, why?" his friend responded. "Because the message is the exact same thing we did."



After the Democrats lost the Senate and came up short in the House last November, political observers largely blamed House Minority Leader Dick Gephardt, Senate Majority Leader Tom Daschle, and Democratic National Committee Chair Terry McAuliffe. Gephardt left the House leadership partly as a result, Daschle considered doing the same, and many commentators—this magazine included—called upon McAuliffe to resign. And rightly so. As the party's de facto leaders, Daschle, Gephardt, and McAuliffe signed off on the Democrats' failed strategy of deemphasizing national security and the Bush tax cut in order to focus on traditional Democratic winners like education, health care, and Social Security. But they weren't making their decisions in a vacuum. To a large extent, the Democratic leaders were relying on a small circle of influential Democratic pollsters and consultants—the people who formulate strategy in Washington and then turn around and advise House and Senate campaigns around the nation on how to implement it.

Pollsters and consultants have two chances at landing campaign work: They can work for specific candidates, in which case their primary responsibility is to develop themes for advertisements paid for by the candidate. Or they can work for a party's House or Senate campaign committee, in which case their primary responsibility is to develop themes for advertisements paid for by the party.

Or, increasingly, they can do both. Between them, two D.C. firms, The Mellman Group and Garin-Hart-Yang, handled the polling for just about every important Democratic Senate campaign last year—Max Cleland in Georgia, Frank Lautenberg in New Jersey, Erskine Bowles in North Carolina, Jean Carnahan in Missouri, Tom Strickland in Colorado, Bill Bradbury in Oregon, Alex Sanders in South Carolina—and many of the top House and governor's races. At the same time, Geoff Garin and Fred Yang (Peter Hart, the firm's founder, no longer does much campaign work) enjoyed unrivaled influence among the five firms who did polling for the House Democrats' campaign committee. Mellman served as the *exclusive* pollster for the party's Senate campaign arm.

The result is that, in many cases, the same polling firm was making decisions on both sides of the equation. On the candidate side, the pollster would put together what's known as a "benchmark" survey, the results of which typically serve as the basis for just about every commercial, speech, or talking point the candidate delivers. "The pollster is the one that has first-line responsibility for message development," says Ken Smuckler, a longtime consultant for Democratic House candidates. Meanwhile, the firm (if it's a big one like Garin-Hart-Yang or the Mellman Group) could exert even more influence at the party level, playing a key role not only in shaping the national message but also in determining which races the party needed to channel money into and what kinds of commercials that money should buy. As Jim Jordan, former executive director of the Democratic Senatorial Campaign Committee (DSCC), puts it, "If you're

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going to dump a million dollars into a race, it's worth spending thirty thousand dollars first [on a poll] to see if it's going to work."

Given the influence that a couple of big firms have both with the national party and with individual candidates, it's not surprising that last year's Democratic hopefuls all pretty much read from the same script and ignored the two most important issues facing the country. "The strategy all along has been that, if you can take the war and taxes off the table, we can have a debate on the issues where we are strongest," one Democratic leadership aide told the Capitol Hill newspaper *Roll Call* last spring. And, as it happens, this was exactly the strategy that the party's top pollsters were pushing. Just after the September 11 attacks, Mellman and two employees wrote an essay in the trade publication *Campaigns and Elections* citing one of their own polls in which just 33 percent of voters in one congressional district listed terrorism as a top concern, compared with 42 percent for HMOs and 40 percent for prescription drugs. "[P]olls show people still care about education, Social Security, health care and other domestic issues that dominated the political agenda over the last year," Mellman and his colleagues concluded. They doggedly stuck to that line as the campaign wore on. In January of 2002, Mellman told *USA Today*, people "are as concerned about health care and education and prescription drugs as they are about terrorism"; eight months later, he told *The Hill* newspaper that health care would the "the dominant issue of the next decade."

Garin and Yang pushed a similar message to House Democrats. According to *Roll Call*, Garin joined Mellman in strongly advising Democrats against taking on the Bush tax cut, citing the risk they'd be labeled "tax-raisers." Then, late last March, Garin and Yang conducted a survey of more than 30 congressional swing districts. The results showed a potential Democratic advantage among the key group of voters who supported Bush on the war on terrorism but questioned his handling of domestic issues. In a widely circulated memo advising House Democrats of these findings, Garin and Yang encouraged the party to make education and Social Security the key issues of the campaign. "There was a lot of hand-wringing about the Garin-Yang poll in the spring," says one party official. "It said that national security was going to be hard given Bush's strength."

In fairness to Mellman, Garin, and Yang, it's possible the Democrats wouldn't have performed any better in last year's midterm elections if they'd said more about the war on terrorism and the tax cut. But that's hard to believe. A Gallup poll conducted three days after the election showed that only 34 percent of Americans thought Democrats were "tough enough" when it came to dealing with terrorism, compared with 64 percent who thought the GOP was. Even Mellman concedes, "We got no vote from the minority of people concerned about taxes and terrorism." At the very least, staking out a clear position on national security and the tax cut might have been worth a try in a few key races. But, thanks to the unprecedented influence of a small group of pollsters over party strategy, we'll never really know.

THE HIGHLY CONCENTRATED nature of Democratic polling and consulting has a lot to do with the way campaigns are funded. Because of their huge disadvantage in hard money (the restricted contributions that candidates can raise directly from donors), Democratic candidates tend to be extremely dependent on soft money (the unrestricted contributions only party committees can raise—or at least could until McCain-Feingold). Not surprisingly, this affords pollsters such as Mellman and Garin extraordinary influence over party strategy. "Mark [Mellman] conducts DSCC-sponsored polling," says one pollster with experience dealing with the Democratic leadership. "He's also the pollster for Daschle. This makes him a favorite of theirs in decision-making. That's where he's pitched his tent from a marketing perspective."

And, because the party committees—the Democratic Congressional Campaign Committee (DCCC) on the House side and the DSCC on the Senate side—control the soft money, it's only natural that a candidate would want to hire a consultant with close ties to the DCCC or DSCC when staffing his campaign. "This is a dog-eat-dog game," says one longtime campaign manager, who counts himself fortunate to have worked with Mellman for that reason. "I would recommend that any candidate have at least one part of his team with a foothold in the power structure in Washington."

But this system has obvious disadvantages—namely that once a campaign hires a top-flight pollster, it feels enormous pressure to adopt that pollster's biases. Sometimes this is simply out of deference to the person who is now the most prominent member of the campaign staff. "When you have a high-powered pollster and you're in a message meeting," adds one longtime consultant, "you'd better have a good reason for standing up and saying the pollster is wrong." The manager of a narrowly unsuccessful House campaign laments, "A few weeks passed [after the election], and I looked in the mirror and realized I could have pushed more. A lot depends on the campaign manager and candidate challenging the consultant, not being steamrolled."

Not that there's much open conflict between pollsters and candidates' longtime staffs. "The consultants are connected to the national committees; they hold the purse strings," says a campaign manager for a losing Senate candidate whose race had been expected to be closer than was. "There's an implicit 'you have to do what we say.' It's not that heavy-handed. It's actually very positive: 'If you follow our advice, follow this path, you're going to get funded.'" The problem, the campaign manager continues, is that "all along there are decisions [the candidate] may have done differently had this pot of gold not been sitting out there." Worse, often that money never even comes. "The pollster's not just working for you, he may be working with the committee, for other incumbents," this campaign manager adds. "Sometimes there's the feeling of, is this your best advocate? ... Are you competing against their [other] clients?"

For their part, it's understandable why the party campaign committees turn to the small circle of well-known pollsters to

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do their polling: Parties have to make decisions involving millions of dollars based on incomplete information; to help make those decisions, they inevitably seek advice from pollsters they trust. But, even if this small circle is necessary, admission to that circle isn't always an especially meritocratic process. The reason is that many of the decisions about which firms to hire get made by low-paid staffers at the campaign committees who are looking to move on to high-paying jobs at the same consulting firms to which they're handing out contracts. As one pollster who's worked for the DCCC concedes, "[T]he DCCC staff tend to be lame ducks from day one. ... There are some winks and nods and cozy arrangements that inevitably emerge from what, in many respects, is an employment agency." It should come as no surprise then that these staffers routinely dole out business to the highest-profile, D.C.-based firms: That's where they generally want to work.

The most egregious of these quid pro quo arrangements happen far away from Washington. The sheer number of House Democratic races makes it impossible for the party committee to keep track of every single one. Instead, the DCCC hires a small cadre of regional coordinators—"regionals" in the campaign vernacular—to dispense advice to candidates on behalf of the committee and to report back to the committee on the candidates' progress. In practice, though, the regionals—many of them ambitious 20-somethings who work long hours for extremely low pay overseeing several dozen races—are frequently little more than middlemen between candidates and consultants. "A lot of firms seem to need their help to land business," says one longtime pollster, who adds that "very often the errant conventional wisdom is found in greatest concentration in those regional reps."

THE DISPROPORTIONATE INFLUENCE a couple of big polling firms enjoyed last year meant that when somebody on a given campaign—whether a staffer or a pollster or a consultant from a smaller firm or the candidate herself—had a different idea for how the campaign should be run, she often had a hard time making herself heard. A consultant for a House candidate complains of being ordered by the campaign committee in Washington to run an ad supporting the president on Iraq—this, while the campaign was trying to turn the race into a referendum on the North American Free Trade Agreement, which it considered its best hope for winning. "We got word from the mother ship, as the staff calls it, that we had to do a spot on Iraq. A whole positive spot on Iraq when we're getting destroyed with soft money." "We were in a state which was evenly split" on Iraq, says one Senate campaign manager. "There was no clear message of what to do [from the pollster] other than try to make it go away. ... They were saying, 'Support and move on; you want to be talking about Social Security, prescription drugs.' That may be what you want to talk about, but we don't get to set the agenda. Every single meeting [the candidate] went to—it didn't matter what group: seniors, students, labor—the first question was, 'What's your position on Iraq?' The notion you could ignore that issue was foolhardy."

Democratic strategy on the Bush tax cut played out in a similar way. "Any time we polled, sixty percent thought that the tax break for upper-income people should be postponed. But [the party was] afraid to use it," one pollster from a smaller firm recalls. "In Iowa, our opponent was hitting us on taxes, [the DCCC] wanted us to respond" by coming out in favor of the Bush tax cut. But, the pollster argues, there was little to be gained from getting out of the way on the issue since the people most sympathetic to the Bush tax cut in Iowa were extremely unlikely to vote for the Democratic candidate anyway. "I can show you that the [voters] who picked taxes as the most important issue or the second most ... were not our people," this pollster says.

Instead of tax cuts and the war, campaigns were told to emphasize their positions on the traditional Democratic litany of issues. In Senate race after Senate race—Georgia, Missouri, North Carolina—party and campaign money bought ads touting the Democrats' (and questioning the Republicans') commitment to education, prescription drugs, and Social Security. Often the party's top pollsters clung to these issues even in the face of evidence they weren't working. "Prescription drugs—all the polling had identified it as an important issue," says one source close to ousted Georgia Senator Max Cleland's campaign. "But, when the ad was airing, the results not only were not what was hoped for, in some cases they were even the reverse." Democrats who try to explain the party's decisive loss in Georgia typically cite the fact that the voters who showed up on Election Day were far whiter and more male than pollsters in both parties had anticipated. And there's no doubt this accounted for the strong Republican showing. But, had the campaign's pollster, Fred Yang, been asking the right questions, namely, why would a commercial have backfired, maybe he could have figured out what was going on—namely, that national security was shaping up to be *the* decisive issue in the race—in time to do something about it. (His client was, after all, a military veteran who'd lost three limbs in Vietnam.)

Worse, even in states where voters might have been generally receptive to a campaign focused on health care and the economy, the canned feel of specific issues like prescription drugs hurt the Democrats' chances. "There was always debate about what the critical issues were," says one campaign official who worked with Mellman. "A poll can be used to show prescription-drug coverage for seniors has seventy-one percent support, whereas the fact that the cost of health care is rising for too many families—making it difficult to make ends meet—this tests at fifty-six percent. In a world of scarce resources, the consultant says, 'This is seventy-one percent; you have to go with that.'" The problem, says this official, is that the issue that performs best in a poll is usually easiest for the other side to co-opt. That's why it's often a better idea to focus on a slightly less popular issue, such as rising health insurance premiums, where it's still possible to tease out contrasts. But that never happened. "Look at [our opponent]," the official says. "When he talked about health care, he

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talked about the same crap we did."

Asked whether the emphasis on the usual menu of domestic issues was a mistake, Mellman shoots back, "The fact is, the issue of greatest concern to most Americans is the cost of health care generally and the cost of prescription drugs specifically. Just to say, 'We're not going to talk about it because we talked about it already,' is to say, 'We don't care what most voters think.'" Yang makes a similar argument: "Some people say, 'If Republicans are catching up to you on Social Security, why fight it?' Well, it's the only issue seniors care about. We all know how important seniors are. What are you going to do, just give up?"

But, from a sheer tactical standpoint, the biggest problem with the set of issues the Democrats chose to run on was just that: They were so obvious and well-known that Republicans had long since figured out how to counter them. In North Carolina, for example, the DSCC ran an ad in September accusing Elizabeth Dole of wanting to "gamble Social Security money in the stock market, even though it would reduce guaranteed benefits for retirees." Dole responded with three straight ads over the next week accusing her opponent, Erskine Bowles, of distorting her record and telling voters that her Social Security plan "helps their grandchildren increase their benefits without raising taxes." Republicans wound up with a twelve-point advantage among senior citizens by the time Dole and her fellow Republicans finished flooding the airwaves with counterattack ads on Social Security and prescription drugs.

DEMOCRATS AREN'T THE only ones who fall into the trap of relying on the same group of pollsters and consultants over and over again. The Republican campaign committee in the Senate employed three pollsters in all—two more than the Democrats but hardly enough to offer a wide range of opinions and strategies. Likewise, though no one pollster for the party's House campaign committee enjoyed the level of influence that Garin and Yang did for the Democrats, the committee used the same overall number of firms—five—as the House Democrats. And, like their Democratic counterparts, the Republican committees tend to be staffed by the same ambitious young strivers looking to move on when the campaign season ends.

The difference is that there are important forces within the Republican Party that mitigate these problems. For one thing, since Republicans tend to be much better funded, their candidates aren't usually as hard up for soft money, which diminishes the influence of a well-connected pollster. A second result of this money advantage is that Republican campaigns can afford to hire what's known as a general consultant, a kind of general contractor whose job it is to keep all the other consultants honest. "Clearly any general consultant worth his or her salt has a major influence on polling and media and schedule and budget and message—the whole works," says Whit Ayres, an Atlanta-based Republican pollster. Which means that with a general consultant involved, it's much more difficult for any one consultant to hijack the candidate's message. On the Democratic side, "either the pollster or the media consultant or the direct-mail consultant ends up taking the lead," says Ken Smuckler. On the Republican side, "the general consultant generally creates an atmosphere where all of the consultants can deliberate with a little more freedom."

On top of this, the party that controls the White House always has some redundancy in its polling operation, which makes it tough for any one group of pollsters to dominate. When Bill Clinton was president, House and Senate Democrats were every bit as reliant on the likes of Mellman and Garin—according to *US News & World Report*, Senate Democrats went so far as to solicit Mellman's advice on how to deal with the 1997 Clinton campaign finance–scandal flare-up. But Clinton had his own pollsters—first the left-leaning Stan Greenberg, then the moderate Mark Penn—to help craft his message, so the party message never became quite so monotone. These days Karl Rove's team of strategists, along with trusted Republican National Committee pollster Matthew Dowd, influence the Republican candidates' message as much as anything that originates from Capitol Hill.

Perhaps most importantly, though, Republicans by and large have both a visceral and an ideological aversion to Washington that leads them to favor decentralized, state-and-district-level decision-making and to discount inside-the-Beltway conventions. "Republican pollsters in the Washington area tend not to be *of* the Washington area," says Glen Bolger, whose firm was recently named "Pollster of the Year" by the American Association of Political Consultants. "I don't go to a lot of receptions and parties, stuff like that. The last party I went to in Georgetown was when my brother was going to school there." As evidence of this detachment, Bolger points out that most Democratic firms are based in the District, while Republican firms tend to be based in Northern Virginia.

And, in the end, sometimes just having respect for local issues can be the most valuable tool a campaign consultant has to offer. By all accounts, Tennessee Representative Bart Gordon should be out of a job by now. Gordon was one of the few Southern congressmen from either party who voted for the Clinton tax increase in 1993. But he relentlessly touted his opposition to plans to build a nuclear waste storage facility in Oak Ridge while campaigning the following year. And this helped save his seat, even as Democratic colleagues with far more conservative voting records fell by the wayside. Then, in 1996, Gordon faced the same challenger in an increasingly Republican district. But again Gordon managed to survive—this time by more or less devoting his entire campaign to preserving a sacred Tennessee Valley Authority project, which the Republicans had vowed to privatize in their Contract With America. "It sounds like 'who cares' to most people, but we dug in, and it was a big issue," says Gordon's media consultant, John Rowley. Which raises the question: As long as Mark Mellman, Geoff Garin, and Fred Yang are controlling the message from Washington, what else is the Democratic Party missing? ■

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Stanley Kauffmann on Films

Two Textures

CAROLINE SERREAU IS a bit harsh on herself. This French writer-director calls her new film **Chaos** (New Yorker), but it might have been called *À la carte*. Films are usually *table d'hôte*. The story menu is direct; we sit down and it is served. Serreau offers choices: if we don't like one story, we may like another. Yet, though *Chaos* contains several stories, it is not a mess. The linkage among them is mainly through a consistent view of men as monsters, smooth or violent but inevitably monstrous; and that link is enough to make the film seem an unfolding of sequences rather than a series of plot twists. Another consistency is Serreau's style, which might be called postmodern Sacha Guitry—cool ingenuity mixed with humane drama and equally humane winking.

The opening scene promises only the drama. A prosperous middle-aged couple, Paul and Hélène, are driving through a narrow Paris street one evening when a young woman, chased by three men, stops their car and begs frantically to be admitted. Paul locks the car doors against her: the three men catch the woman and beat her savagely while Paul and Hélène watch. After the men leave the bloodied woman lying in the street, all Paul can think of is getting away before the police come, which they do. Hélène, and not just because she is a lawyer, is guilt-ridden. Next day she traces the woman to a hospital, where she is comatose in the intensive care unit. Hélène returns every day. She even takes a leave from her office and sleeps in the woman's room to help attend her. By now she knows that the woman is Algerian, is named Noémie (sometimes called Malika), and is a prostitute. This knowledge only intensifies Hélène's concern.

Everything is now in place for a drama of bourgeois roiling, of self-satisfaction seared by ugly intrusion. That drama does in fact follow, credibly and keenly, including the foreseeable breach between Hélène and Paul, a man whose successful business is his one true love. What we cannot foresee is that this drama will bring along with it several other stories: a high-velocity comedy about the couple's son Fabrice and his various girlfriends, all of whom portray university life as a whirl of furious sex interrupted occasionally by classes; a long flashback of Noémie's life, including the marriage arranged by her Islamic father, which becomes her sale into an international vice ring; Noémie's discovery, somewhat comic, of financial acumen that enables her to make a fortune for her owners; Noémie's fleecing of a rich old man in poor heath; Hélène's rescue of Noémie from vice-bondage to claim the fortune she has made for her owners; and Noémie's involvement with both Paul and Fabrice. So if the viewer doesn't prefer the opening drama, even though it weaves through all that follows, there is a choice between a sizzling young sex comedy, a skewering of male sexual exploitation, a satire on Islamic family life, and an adroit revenge plot. (I may have forgotten one or two other bits.)

This story medley doesn't avoid an occasional bump: from time to time, we wonder if the reels of one film haven't been mixed with those of other films. But the picture holds us, not only through our wonderment at the mixture but through Serreau's dexterity and her casting. The best known of her previous films, *Three Men and a Cradle*, overcame its kitschy premise through her enjoyment of her own story. That enjoyment helps here, too, and competent acting sustains it. Hélène is Catherine Frot, whose pleasant, plain face proclaims at once that she is a good actress because she probably wouldn't be there for any other reason. Vincent Lindon, as Paul, is (a clever Serreau touch) more attractive than his wife and thus has more character cloakings to divest before we get to his basic self. Noémie is Rachida Brakni, slim and passionate and eventually funny. Brakni's performance in itself may symbolize Serreau's title. Noémie's story exemplifies in extremis that life just won't behave properly: it keeps mixing elements. Here, then, is a film where art imitates life.

Gus Van Sant's new film **Gerry** (THINKfilm) is the perfect companion piece for Serreau's. Her picture has a bevy of plots; his has no plot at all. Already people have asked why the screenplay of *Gerry* needed three writers: Van Sant plus the actors Casey Affleck and Matt Damon. Presumably Affleck and Damon supplied what they would be thinking of during their performances (they are virtually the entire cast): the metamorphoses that would be felt but not expressed. In that regard, the picture succeeds. Nothing substantive is expressed.

At the start, the camera follows a car that is rolling down a blacktop road through desert country. For a couple of minutes, we simply follow this car. Then comes a cut to the faces of the two men in the car. Both of them are named Gerry. (Surely this signifies something, though we do not learn what.) After a while, they stop to get out and look at the sights in the desert. Soon they are lost. They stroll and rest and sleep and don't sleep—for several days. They never eat or drink, and they make a fire at night, which possibly protects them against nighttime desert chill. (They have no jackets, just T-shirts.) They speak very little. Each apparently understands why he is doing this and what is happening to him. They just keep wandering. After a night in which they come closest to some sort of feeling, one of them apparently dies. The other stumbles on and rather soon comes to a road. In the last shot he is in a car, seated next to a child, while a man drives.

The bleak opening of the picture is provocative. The insistent, uninflected tailing of the car and the offhand entry into the desert suggest a Beckettian mode—a bareness that will underscore the invisible. But *Gerry* is all manner without any trace of depth. All we get is plenty of landscape: many, many shots of terrain, rocky or flat, along with floating clouds, racing clouds, gloom through which the pair sometimes walk, hot sun through which they also walk. Some sort of fusion is, we assume, supposed to be happening between nature and the souls of the men, but it is not perceptible. (The cinematography by Harris Savides is not especially impressive.)

Van Sant has often shown disregard for convention in his career, attempts at purposeful artistic anarchy, as in *My Own Private Idaho* and *Drugstore Cowboy*, but the anarchy itself is all that he has achieved. I much prefer his relatively

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conventional work, such as *Good Will Hunting*. Certainly, however, he is not short of courage. He is by now the emperor of a cult, and here he is putting his subjects to their severest test. He appears before them in what he considers his new clothes. Some of us would describe it otherwise. ■

Hannah Arendt and her Nazi editor.

A Banal Story

By SHLOMO AVINERI

GENERATION DES Unbedingten, which can loosely be translated as *Generation of True Believers*, is a 950-page book that was recently published in Germany. Its author, Michael Wildt, teaches at Hamburg University, and his book is a detailed description, accompanied by dozens of short biographies, of some of the higher echelons of the *Reichssicherheitshauptamt* (RSHA), the Main Office of Reich Security—the Nazi organization that included Adolf Eichmann among its members. The book is based on rich documentary and archival material, and it is the first attempt to present a collective portrait of the most powerful and the most murderous security organ of the Third Reich.

Two things stand out in Wildt's volume. First, it becomes again abundantly clear that the SS and the Nazi security services numbered among their leadership some of the most educated people in German society. It was not a rabble of street toughs that planned and carried out Hitler's racial policies, which included the annihilation of most of Europe's Jewish population. The genocide was directed by an elite of intellectuals and academics, Ph.D.s in literature, philosophy, law, history, science. Second, Wildt's book demonstrates that, while the Nazi regime's most prominent leaders were brought to justice, and some of them were executed by the Allies at Nuremberg and other war crimes trials, many of those who occupied the middle and high echelons of the Nazi security bureaucracy managed to return to professional and public life in West Germany, a process of rehabilitation that was facilitated by a combination of purposeful forgetfulness, denial, collusion, and of course Cold War considerations.

One of the dozens of Nazi officials whose trajectory is described in this volume is Hans Rössner. Born in Dresden in 1910, he studied at Leipzig University, where he drew close to nationalist circles; he joined the SS soon after the Nazis came to power, and served as assistant to Karl Justus Obenauer, the dean of the faculty of philosophy at Bonn University. (Obenauer is inscribed in German literary history as the man who wrote to Thomas Mann in 1936 to inform him that his honorary degree from Bonn was being withdrawn because his German citizenship had been revoked.) In the late 1930s, Rössner officially joined the Main Office of Reich Security and served in Department III (Internal Affairs). He was responsible for the control of "Popular Culture and Art."

In this capacity, Rössner wrote an extensive, monograph-length memorandum about the literary and intellectual circle of Stefan George. The George Circle always posed a problem for Nazi cultural policy. These writers and artists were deeply mired in the mystical romanticism that contributed significantly to Nazism's intellectual ascendancy; but many of George's followers were Jews or former Jews, and George himself was far from endorsing the cultural vulgarity and the physical brutality that characterized Hitler's movement. Rössner's memorandum tried to square the circle: he acknowledged George's major contribution to the "national revolution" while pointing out that his disciples were not "vigilant enough" in racial matters. He decried the "*geistige Verjudung*," or "spiritual Judaization," of the George Circle, and appended an itemized list of fifty of its members who were "freemasons, Rotarians, Jewish, devout Catholics and liberals," suggesting that they be removed from their positions as editors, journalists, and art experts.

In 1937 Rössner was granted a Ph.D. from Frankfurt University for this work; he then joined the RSHA as a full-time employee, and spent the war years at its headquarters in Berlin. His personal file attests to the high regard in which he was held by his superiors as an ardent and industrious Nazi, an "implacable National Socialist." Prior to the final defeat of the Reich, Rössner, like other high SS officials, was issued a cyanide capsule, but he did not commit suicide, choosing instead to hide. He was apprehended by the Allies, spent three years in detention, appeared as a minor witness in the Nuremberg trials, and was released in 1948. For his membership in the SS and the RSHA, he was put on trial and fined DM 2,000.

After his release, Rössner, like many of his SS colleagues with academic qualifications, managed to find a position as a reader at a minor publishing house; he and his colleagues published a number of volumes on "European thought," which served as a cover for nationalist—though not overtly Nazi—writings. After a few years he landed a position as a reader and then as an editor at the prestigious publishing house Piper, one of West Germany's main publishers of quality. As far as Wildt was able to determine, Rössner's employers did not know about his past. Perhaps they did not ask too many questions. His case, like many others documented by Wildt, amounts to a powerful indictment of how West Germany in its early years followed a conscious policy of denial and forgetfulness regarding the biographies of many of its prominent citizens and officials. This would change only later, in the wake of the Eichmann trial in 1961 and the student revolt of 1968, when a younger generation started asking their parents some difficult questions.

ALL THIS COULD have been merely a banal story that cast a little more unpleasant light on the first years of the Federal Republic of Germany. After 1956, however, the story gained a new dimension. It was in that year that Hannah Arendt chose Piper as her German publisher. Hans Rössner became her reader at the house, and then her editor. From the correspondence between them quoted in detail in Wildt's book, one may gather that Rössner treated Arendt with respect and even veneration, sometimes bordering on sycophancy. One would not expect otherwise. But what is

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really troubling is that a number of echoes of Rössner's Nazi past appear in the way in which he addressed some of the political and intellectual issues raised by Arendt's books.

In 1956, in the wake of the Hungarian Revolution, Arendt developed her eulogy of the insurgents into a theoretical treatise called *On Revolution*, and busied herself with preparing a German edition of her book. Since the book highlights what Arendt perceived as the voluntaristic nature of the "councils" that sprang up in Hungary during the resistance to Soviet intervention, she chose to dedicate the volume to Rosa Luxemburg. "Red Rosa" had always been the model of a revolutionary intellectual leader for Arendt, not least owing to her cruel murder, together with Karl Liebknecht, at the hands of the nationalistic *Freikorps*, who were in many ways the precursors of the Nazis.

It becomes clear from the correspondence between the writer and her German editor that this dedication was met with some unease by Rössner. In extremely polite language he suggested to Arendt that the dedication to Luxemburg would not sit well with a West German audience, and might be misunderstood, especially as Luxemburg was not only regarded as one of the founders of the Communist Party in Germany, but was also viewed as a hero in the German Democratic Republic. Initially Arendt resented Rössner's suggestion, but eventually she gave in. The dedication to Rosa Luxemburg is omitted from the German edition, though in the text itself Arendt's support for Luxemburg's ideas is left standing.

In 1958 Arendt prepared to publish her dissertation of the 1930s on Rahel Varnhagen, the early-nineteenth-century Jewish woman who founded one of Berlin's glittering literary and intellectual salons. The manuscript of the thesis had survived in Palestine during the war, and now Arendt wished to publish it in the original German. Again Rössner was the editor. Arendt suggested as a subtitle *A Life Story From the Time of the Early Assimilation of German Jews*. But Rössner again felt uneasy. He maintained that the subtitle was "*etwas umständlich*," "a bit clumsy," though he did not elaborate. Again Arendt was at first furious, complaining that under no circumstances would she agree to drop the reference to the Jews from the subtitle. Karl Piper, the publisher himself, entered the dispute: while suggesting that neither he nor Rössner would under any circumstances oppose having "Jewish" in the subtitle, he went on to suggest the anodyne *A Life Story With a Selection of Letters From Rahel*. After much correspondence, the publisher's wife intervened in what threatened to become an uncomfortable mess, suggesting *A Life Story of a German Jewess of the Romantic Period*. Arendt accepted her suggestion.

WHICH BRINGS US, inevitably, to *Eichmann in Jerusalem*. The German edition of Arendt's hugely controversial book was also published by Piper, and the editor of the German edition of *Eichmann in Jerusalem* was none other than Hans Rössner, Eichmann's colleague from the Main Office of Reich Security. The publication history of the German book is once again troubling. Karl Piper was committed to publishing the book, but at Rössner's suggestion a leading law firm was approached to vet the manuscript for any libelous material. After all, some of the people mentioned at the trial, and in Arendt's book, were still alive and kicking in West Germany, and some of them occupied public positions. A detailed memorandum was presented to the publisher, which advocated dropping the names of certain people and changing the adjectives that Arendt used to describe others. When she learned about the legal brief, Arendt was livid. Soothing letters crossed the Atlantic, and eventually Arendt agreed to soften some of the descriptions. Thus, the term "murderer" was dropped from the sentence describing the wartime activities of Georg Heuser, who by that time was the attorney general of Rhineland-Palatinate. Similarly, Arendt agreed to omit the name of a Nazi jurist, Theodor Maunz, who was mentioned by Eichmann in his defense: the man had in the meantime made a career in the Federal Republic.

There were also some tricky problems of translation. Throughout her book Arendt maintained that there had been no *jüdische Frage*, or "Jewish question," in Germany, as suggested by Rössner, since that was the Nazi term; she insisted that there was only a *Judenfrage*, a "question of the Jews." This may look like quibbling, but there were moral issues broached by such linguistic usages, and these were highly charged matters in German. Rössner was not convinced that there was a real difference. Arendt insisted, and in this case she prevailed.

Five weeks after Arendt's death, on January 12, 1976, Rössner, who was by then the editor-in-chief of Piper, sent a memorandum to the production department of the publishing house instructing them not to prepare a new edition of the Eichmann volume. He was over-ruled by the publisher himself, who insisted that the book remain in print, though at that time it was selling only a few hundred copies a year. Rössner remained in his senior position at Piper. He died in Munich in 1999.

AS FAR AS Wildt could ascertain, Arendt never knew about Rössner's SS past; nor is there any indication that the obvious ideological slant of many of his editorial suggestions troubled her. Their relationship was correct and cordial. They met several times during Arendt's visits to Germany, and it appears that Rössner kept a photograph of Arendt, with her personal dedication, on his desk. Yet Wildt's book provokes two troubling questions in connection with Rössner's post-war editorial career. The first concerns the ease with which former SS intellectuals were able to find their way to becoming honorable citizens—and opinion leaders—in West Germany. The second concerns the fact that a former SS intellectual served for two decades as the editor of the woman who wrote *The Origins of Totalitarianism* and *Eichmann in Jerusalem*.

Hannah Arendt's ambivalent—and ultimately exculpatory—attitude toward Martin Heidegger has been the subject of many studies and opinions, some more serious than others. It stands in significant contrast to the outspoken attitude of many other disciples of Heidegger, such as Hans Jonas and Herbert Marcuse, who rejected their mentor after the war when he compared the Holocaust to some lapses in environmental or agricultural policies. The deep intellectual and emotional ties between Arendt and Heidegger—and the latter's position as one of the twentieth century's major thinkers—may explain Arendt's attitude toward him, even if it does not excuse it.

But surely the Rössner case is different. He was Arendt's editor for almost twenty years. He was twenty-three years old when Hitler came to power and twenty-nine when World War II broke out. From their correspondence it is clear that Arendt knew that Rössner studied literature in the 1930s. How come this scholar and lover of ideas never asked her editor about the subject of his dissertation? Or about the identity of his *Doktorvater*? How come she never asked him what he had done during the war? Had he served in the army, and where? And if he had not served in the army, what had he done during the years between 1939 and 1945? How come she never asked him about his life after the war, which included three years in Allied detention?

All of us who have contacts—human, scholarly, commercial, political—with

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Germany are very familiar with the deep feeling of unease that descends upon us when we meet a German of a certain age, of "that" generation. Sometimes the German individual in question even volunteers the answers to our queries before we ask them—what did he do during the war? What did he know? Was he a member of the Nazi Party? Sometimes the answers are true; sometimes they are false. Sometimes they are deeply moving. In some cases the individual does not say anything, and you ask yourself whether you should ask. But how to ask, exactly? One wants to be decent, but one needs to know.

It seems that in the case of Hans Rössner such questions did not disturb Arendt. In this matter she seems to have been willingly obtuse. Maybe I am doing her an injustice. Maybe she did ask, and maybe he answered. But if she did ask, it is difficult to understand how she could continue to work with Rössner for two decades, and particularly on books that attempted to explain precisely the evil that he had represented. And if she did not ask—well, such a lack of curiosity may be understood, perhaps, in the case of a ruthless businessman who may not be too scrupulous about an occasional contact. But Hannah Arendt? Is it asking too much of one of the major thinkers about totalitarianism and the morality of our age? Is it not outrageous that the German editor of Arendt's book on Eichmann was himself an SS man and a colleague of Eichmann's at the RSHA? Perhaps the god of banality has the answer. He certainly enjoys a laugh. ■

The Anti-Hero

By RICHARD A. POSNER

Wild Bill: The Legend and Life of William O. Douglas by Bruce Allen Murphy

(Random House, 688 pp., $35)

I MET JUSTICE William Douglas, the longest-serving member of the Supreme Court, when I was clerking for Justice William Brennan. Douglas struck me as cold and brusque but charismatic—the most charismatic judge (well, the only charismatic judge) on the Court. Little did I know that this elderly gentleman (he was sixty-four when I was a law clerk) was having sex with his soon-to-be third wife in his Supreme Court office, that he was being stalked by his justifiably suspicious soon-to-be ex-wife, and that on one occasion he had to hide the wife-to-be in his closet in order to prevent the current wife from discovering her.

This is just one of the gamy bits in Bruce Allen Murphy's riveting biography of one of the most unwholesome figures in modern American political history, a field with many contenders. Murphy explains that he had expected the biography to take six years to complete but that it actually took almost fifteen. For Douglas turned out to be a liar to rival Baron Munchausen, and a great deal of patient digging was required to reconstruct his true life story. One of his typical lies, not only repeated in a judicial opinion but inscribed on his tombstone in Arlington National Cemetery, was that he had been a soldier in World War I. Douglas was never in the Armed Forces. The lie metastasized: a book about Arlington National Cemetery, published in 1986, reports: "Refusing to allow his polio to keep him from fighting for his nation during World War I, Douglas enlisted in the United States Army and fought in Europe." He never had polio, either.

Apart from being a flagrant liar, Douglas was a compulsive womanizer, a heavy drinker, a terrible husband to each of his four wives, a terrible father to his two children, and a bored, distracted, uncollegial, irresponsible, and at times unethical Supreme Court justice who regularly left the Court for his summer vacation weeks before the term ended. Rude, ice-cold, hot-tempered, ungrateful, foul-mouthed, self-absorbed, and devoured by ambition, he was also financially reckless—at once a big spender, a tightwad, and a sponge—who, while he was serving as a justice, received a substantial salary from a foundation established and controlled by a shady Las Vegas businessman.

For at least a decade before he was felled in 1974 by the massive stroke that forced his retirement from the Court a year later, Douglas (perhaps as a consequence of his heavy drinking) had been deteriorating morally and psychologically from an already low level. The deterioration manifested itself in paranoid delusions, senile rages and sulks, sadistic treatment of his staff to the point where his law clerks—whom he described as "the lowest form of human life"—took to calling him "shithead" behind his back, and increasingly bizarre behavior toward women, which included an assault in his office on an airline stewardess who had unsuspectingly accepted an invitation from this kindly seeming old man to visit him there. His third marriage, to a woman in her early twenties (the woman in the closet), lasted only two years, and began to disintegrate within weeks of the wedding. After that divorce Douglas speedily took up with two more women in their twenties, marrying one on an impulse but later resuming romantic relations with the other. This fourth marriage might well have dissolved had his stroke held off. As Murphy puts it, Douglas had "buyer's remorse" in the marriage market.

Does any of this matter? It would not—had not Douglas in his autobiographical writings and elsewhere presented his life to the public as exemplary of American individualism and achievement. I cannot begin to imagine his thinking in publishing lies that were readily refutable by documents certain one day to be discovered.

WILLIAM ORVILLE DOUGLAS was born in 1898 in Yakima, Washington. In his autobiography he claimed that his grandfather Orville had fought in Grant's army at Vicksburg, when in fact Orville had deserted from the Union Army twice without ever seeing combat. Douglas's father, an eccentric itinerant preacher notably neglectful of his children (like father, like son), died when Douglas, the couple's firstborn son, was a young child. Douglas himself almost died of an intestinal disease as an infant. His mother hailed his recovery as a miracle. He became her "treasure" and she declared that he would

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someday be president of the United States, thus planting in him the seed of a lifelong ambition. It was also in his autobiography that Douglas reported having cured himself of polio by sheer force of will. He wanted to link himself to Franklin Roosevelt, whom he had hoped to succeed as president—with the difference of having actually cured himself of the disease, a feat beyond FDR's ability.

Douglas claimed to have grown up in abject poverty. This was another lie: his mother had been left surprisingly well provided for as a widow, and the family, though poor by modern standards (as most people were a century ago), was middle class. What is true is that Douglas's mother was very tight with money (another parental trait the son inherited, though this one only fitfully); and as a result Douglas believed until he was an adult that the family had been poor. His discovery of the truth led to a lifelong resentment against his mother, who he thought should have paid for him to attend Washington State University, which he believed would have led to his obtaining a Rhodes Scholarship. On his deathbed Douglas told his wife: "I want you always to know that no one has ever been better to me since my mother." Douglas's daughter told Murphy that this was actually an insult, given Douglas's hostility toward his mother.

After graduating from Whitman College in Washington (Douglas claimed that at Whitman he had lived in a tent, when in fact he had lived in a fraternity house, though in hot weather the frat boys sometimes slept outside), Douglas taught high school for two years and then enrolled in Columbia Law School. He claimed to have arrived in New York, having ridden the brake rods of a train or possibly in an open boxcar, with just six cents in his pocket—all lies. By this time he was married, and his wife, a schoolteacher, was his major support in law school. He concealed this in his autobiography, in part by postdating his marriage by a year, and claimed to have worked his way through law school. He also claimed to have heard Caruso sing at the Metropolitan Opera House, though the tenor died the year before Douglas arrived in New York.

Of greater consequence, Douglas claimed to have graduated second in his law school class, which was not true, although he was a good student, and made the law review, and was hired by the Cravath firm (despite looking, according to John J. McCloy, the associate who hired him, like "a singed cat"), then as now a leading Wall Street firm. He quit after four and a half months and fled back to Yakima, his hometown, hoping to practice law there but abandoning the idea after just four days. A spell of unemployment followed, during which he was supported by his wife. He returned to the Cravath firm for seven months and then went into teaching, first at Columbia and then at Yale, where he represented himself as having been a successful Wall Street lawyer. He also claimed to have practiced law in Yakima; he had not.

His academic career was short, lasting from 1927 to 1935, but it was spectacularly successful. Attracted as a student to legal realism, of which Columbia was the hotbed, as a professor he quickly became a prominent member of the movement. Yale soon hired him away from Columbia, with which he had become disaffected by the school's failure to appoint a legal realist as dean. He had made a tremendous impression on Robert Maynard Hutchins, Yale's young dean. When shortly afterward Hutchins became president of the University of Chicago, he offered Douglas an appointment and Douglas accepted, and he was listed for two years in the Chicago catalog as a member of the faculty visiting at Yale. But he never taught at Chicago, instead using his dual status to extract a Sterling professorship and high salary at Yale. He was a consummate careerist.

THE LEGAL REALISTS recognized that law is not an autonomous body of thought. (The belief that it is autonomous, and that judges arrive at their decisions by a process of deductive logic or something akin to it, is known as legal formalism, and it retains to this day a strong hold on the legal imagination.) According to the realists, law is an instrument of social policy, and intelligent reform therefore requires an understanding of the consequences of law, an understanding that is itself dependent on social science and empirical inquiry. Douglas knew no social science, but he understood the value of grounding analysis of business law in empirical inquiry, and he organized and supervised a number of ambitious empirical projects. His articles and his casebooks quickly made him a coming figure in corporate and bankruptcy law.

Yet he had plenty of time for boozing, girls, and practical jokes. Once, when the dean of the law school was too drunk to find his way to the railroad station to catch a train to a city in which he was to give a speech, Douglas considerately drove him to the station—and put him on a train to a different city. Another time Douglas sent a note to one of his colleagues that he purported to be from an admirer named Yvonne, who gave her phone number and suggested that they meet for cocktails. When the colleague dialed the number, he discovered that he was calling the city morgue. Douglas's sense of humor also expressed itself in his connoisseurship of popular-song titles, such as "Songs I Learned at My Mother's Knee and Other Low Joints" and "My Wife Ran Off With My Best Friend, and I Sure Miss Him."

Legal realism made a natural fit with the New Deal, and a number of faculty members and recent students at Yale went off to work for federal agencies. Douglas, quickly spotting securities law as an emerging field and becoming an expert in it, became a member of the Securities and Exchange Commission and before long its chairman. His two years as chairman brought notable successes in efforts to regulate the stock exchanges and made him a hero of the second New Deal. Murphy's account of the Wall Street scandals of the period has a surprisingly contemporary ring.

Douglas, according to legal historian (and former Douglas law clerk) Dennis Hutchinson, "found it easy to elbow his way into the back rooms of power through a combination of a reputation for capability, cheek, skill at losing poker games, and drinking hard with the boys." When Brandeis retired from the Supreme Court in 1939 and there was a clamor to appoint a Westerner to the Court, Roosevelt picked Douglas. He was forty. He was also Brandeis's personal choice to succeed him.

IT TOOK DOUGLAS only a few weeks to discover that being a judge was not to his taste. He missed the excitement of jousting with the Wall Streeters, and he viewed his new job primarily as a stepping stone to the presidency. He came close to being nominated for vice president on the Democratic ticket in 1944; had he been the nominee, he rather than Truman would have become president when Roosevelt died the following year. Bitterly

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disappointed, he continued to nurse presidential ambitions. He almost accepted the Democratic nomination for vice president in 1948—Truman was desperately eager to have him on the ticket—and probably would have done so had he thought Truman would lose the election, in which event he could expect to inherit Truman's mantle as leader of the Democratic Party. But he shrewdly recognized that Dewey would lose.

As late as 1960, Douglas was still considering a political career. Lyndon Johnson, one of his pals (Douglas tended to clump together with other persons of unsavory personal character), promised Douglas that if he was nominated for president he would make Douglas the vice presidential nominee. Douglas was bitter at the Kennedys for ruining his chances by "buying" the 1960 nomination for JFK. His bitterness provoked a memorable alcoholic binge that Murphy vividly describes.

Douglas's divorce from his first wife in 1954 had placed him in a financial bind from which he never entirely escaped. Her lawyer, egged on by Tommy Corcoran, another of Douglas's unattractive friends from the New Deal days turned enemies, had ingeniously inserted in the divorce settlement an escalator clause whereby the more money Douglas made from his books and lectures, the more he had to give her in alimony—and she lived for a long time and did not remarry. He was now on a financial treadmill. Besides his income from the dubious Parvin Foundation, he lectured constantly and wrote book after book, mainly travel books; he was heavily dependent on publishers' advances. He employed an editorial assistant who eventually became a ghost co-writer of his books.

In the 1940s, when Douglas had thought he had a shot at the presidency, he had been a liberal justice, but respectably so—to the right, for example, of Frank Murphy. In the 1950s, however, he and Hugo Black formed the extreme liberal wing of the Court, and he moved steadily leftward from there, to the point where even in the heyday of the Warren Court in the 1960s Douglas was to the left of any other justice. He became a bête noir of the right and survived three efforts to impeach him, the third a serious one that was blocked by Democratic control of the House of Representatives. The second impeachment effort was provoked by his sensible if premature suggestion—it was during the Korean War—that the United States should begin to cozy up to Communist China in order to divide it from the Soviet Union, a suggestion that later became the foundation of the hated Nixon's foreign policy.

Douglas became a hero not only to radicals and civil libertarians but also to environmentalists. He may not have liked any human being, but he loved nature; and by his books and his personal example, including a well-publicized 185-mile hike along the Chesapeake & Ohio canal towpath in a successful protest against the building of a highway on it, Douglas helped give visibility to the nascent environmental movement. I had a scrape with Douglas's environmentalism when I worked in the solicitor general's office in the 1960s. We sided with the Bonneville Power Administration (part of the Department of the Interior) in a fight with the Federal Power Commission over whether Bonneville or a private power company would build a hydroelectric dam on the Snake River in Idaho. We won the case, which was gratifying, but we were astonished at Douglas's opinion, which declared without basis in the record or the arguments of the parties that no one should build the dam, because it would harm the salmon, and anyway solar and nuclear power would soon supplant the need for further hydroelectric power.

From my account, Murphy's book may seem a hatchet job, with its mountain of often prurient detail about Douglas's personal life and character. Not so. Murphy displays no animus toward Douglas. He does not try to extenuate Douglas's failings as a human being, or to excuse them, or even to explain them, but he greatly admires Douglas's civil liberties decisions, and (without his actually saying so) this admiration leads him to forgive Douglas's flaws of character. The only time his realism regarding Douglas's character falters is when he is discussing Felix Frankfurter. His portrayal of Frankfurter is relentlessly and excessively critical; he sees Frankfurter exclusively through Douglas's hostile eyes.

Murphy is right to separate the personal from the judicial. One can be a bad person and a good judge, just as one can be a good person and a bad judge. With biography and reportage becoming ever more candid and penetrating, we now know that a high percentage of successful and creative people are psychologically warped and morally challenged; and anyway, as Machiavelli recognized long ago, personal morality and political morality are not the same thing. Douglas was not a good judge (I will come back to this point), but this was not because he was a woman-chaser, a heavy drinker, a liar, and so on. It was because he did not like the job. In part he did not like it because he wanted another job badly, a job for which he was indeed better suited. Roosevelt may have made a mistake in preferring Truman as his running mate in 1944. Not a political mistake: Douglas had never run for elective office, and the Democratic Party bosses, whose enthusiastic support FDR thought essential to his re-election, were passionate for Truman. If passing over Douglas was an error (which we shall never know), it was an error of statesmanship. With his intelligence, his toughness, his ambition, his leadership skills, his wide acquaintanceship in official Washington, his combination of Western homespun (a favorite trick was lighting a cigarette by striking a match on the seat of his pants) and Eastern sophistication, and his charisma, Douglas might have been a fine Cold War president.

At least a Douglas administration would not have been afflicted by the cronyism that so undermined Truman's presidency. Douglas had his own cronies, many with character flaws similar to his own, like Lyndon Johnson and Abe Fortas, but they were abler and less manifestly corrupt than Truman's cronies. And unlike Henry Wallace, the vice president

The Embrace

when the man cannot love earth
any longer he is also deciding
to leave, when the man believes
we can no longer hold him
up into the light, when the man
decides he is finished with the harm
done to him and those he watches over

when the man finds I am necessary
face to face, when the man concludes
through me he will get there,
when he puts himself altogether close
with his plan of salvation,
when the man needs to go beyond
my body with his body, to take it

all apart with the slightest turn
of head, finger, a drawing back
of the lip, whatever was true before
now collapsing on itself until
I too have nothing left
except what refuses to burn and the smell
of forgiveness on the breath

Sophie Cabot Black

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whom FDR providentially dropped at the end of his third term in favor of Truman, Douglas was not soft on communism. I do not think that he was ideological at all; he was merely ambitious. I doubt even that he was, despite his later judicial record, a genuine liberal. Douglas was just ornery and rebellious and publicity-seeking: "always fame was the spur," as Ronald Dworkin, one of Douglas's liberal critics, put it.

Thus Douglas's hostility to Frankfurter seems to have been based on professional jealousy rather than on political or jurisprudential disagreement. Come the 1950s and the dimming of his presidential prospects, Douglas gave his rebellious instincts full rein and reveled in the role of the iconoclast, the outsider; he became the judicial Thoreau. Later, when he himself had become an icon of the left, he claimed that had he been president he would not have dropped the atomic bomb on Japan, and would have recognized Red China, and so forth; but these claims cannot be taken very seriously, especially given his complete lack of respect for truthfulness.

Where Murphy can be faulted, though I think not severely, is for his uncritical treatment of Douglas's judicial performance. Other recent judicial biographies, such as the very distinguished biographies of Learned Hand by Gerald Gunther, of Benjamin Cardozo by Andrew Kaufman, and of Byron White by Dennis Hutchinson, have maintained a good balance between the judge's life and his work. But those biographers were dealing with much less interesting personalities; and after fifteen years and seven hundred pages Murphy was entitled to call it a day. About all he does with Douglas's judicial product is quote from a handful of his civil liberties opinions.

The quotations are effective in demonstrating that Douglas was an able judicial polemicist and had the good sense to write his own opinions rather than rely on law clerks, even if they are not really the lowest form of human life. Still, taken as a whole, Douglas's judicial oeuvre is slipshod and slapdash. Here are typical criticisms, none of them by conservatives. "His opinions were not models; they appear to be hastily written; and they are easy to ignore" (Lucas Powe). Their carelessness is rooted in "indifference to the texture of legal analysis, which arises from an exclusively political conception of the judicial role" (Yosal Rogat). "Douglas was the foremost anti-judge of his time" (G. Edward White). A careful study of his tax opinions by Bernard Wolfman and others has documented Douglas's unreasoning hostility to the Internal Revenue Service and accuses him of "refusing to judge in tax cases."

THE SUPREME COURT is a political court. The discretion that the justices exercise can fairly be described as legislative in character, but the conditions under which this "legislature" operates are different from those of Congress. Lacking electoral legitimacy, yet wielding Zeus's thunderbolt in the form of the power to invalidate actions of the other branches of government as unconstitutional, the justices, to be effective, have to accept certain limitations on their legislative discretion. They are confined, in Holmes's words, from molar to molecular motions. And even at the molecular level the justices have to be able to offer reasoned justifications for departing from their previous decisions, and to accord a decent respect to public opinion, and to allow room for social experimentation, and to formulate doctrines that will provide guidance to lower courts, and to comply with the expectations of the legal profession concerning the judicial craft. They have to be seen to be doing law rather than doing politics.

Douglas was largely oblivious to these rather modest requirements, with which he could easily have complied had he had just a little *Sitzfleisch*. He liked to say that "I don't follow precedents, I make 'em." Yes, that is what Supreme Court justices do much of the time; but they are supposed to explain why, and in precisely what sense and to what degree, they are departing from precedent. Douglas's disdain for judicial norms is easily illustrated. On a number of occasions he issued stays—which were quickly and unanimously overturned by his colleagues—intended to halt American participation in the Vietnam War on the ground that Congress had not declared war. One can argue from the language of the Constitution that the United States cannot lawfully wage war without a congressional declaration, but the argument depends on a literal interpretation of the Constitution—an interpretation that would also forbid military aviation on the ground that the Constitution expressly authorizes the creation only of land and naval forces—which Douglas contemptuously rejected in every other area of constitutional law. It was Douglas, after all, who had the audacity to rule in *Griswold* v. *Connecticut*, the first case to establish a right of sexual autonomy and hence a precursor of *Roe* v. *Wade*, that the Court could fashion new constitutional rights based not on the text of the Constitution but on the values underlying it; and so the Third Amendment, which forbids the quartering of troops in private homes in peacetime, became a source of the constitutional right declared in *Griswold* of married couples to use contraceptives.

The most interesting question about Douglas's judicial performance is whether its deficiencies can be blamed to any extent on legal realism, to which he had committed himself as an academic. Suppose that, upon being appointed to the Court, he had abandoned his political ambitions and set as his goal to become the greatest justice in history. The combination of his youth, his intelligence, his energy, his academic and government experience, his flair for writing, the leadership skills that he had displayed at the SEC, and his ability to charm when he bothered to try (rare as that was, except when he was courting) would have put him within reach of the goal. He was not a genius, as some of his ex-wives and judicial colleagues claimed. He was a very fast worker, which is not the same thing, especially when speed is the product of restlessness and impatience. (He wrote some of his opinions in twenty minutes.)

But law is not the calling of geniuses. There has never been a genius on the Supreme Court, unless it was Holmes. Douglas was certainly very able. Would a commitment to legal realism have stopped him well short of the goal by breeding a cynicism about law that would have prevented him from taking his job entirely seriously? I think that the opposite is more likely, and that the tragedy of Douglas was not that he was a warped human being, or that Roosevelt passed him over for the vice presidential nomination, but that for reasons of temperament—and because the great prize of the presidency seemed for a while within reach—he could not buckle down and commit himself wholeheartedly to the Court and become the greatest of the legal realists.

For it is not true that a judge cannot achieve greatness without embracing formalism. John Marshall, Oliver Wendell Holmes, and Robert Jackson were realist judges. Many of the criticisms leveled against Douglas have been leveled against them (and other realists as well), but they have bounced off them because, unlike Douglas, they took the judicial process seriously—even Jackson, whose presidential longings were as intense as Douglas's. For Douglas, law was *merely* politics. Had he brought to bear all his powers, which were considerable, and injected greater realism and empirical understanding into the work of the Supreme Court, he might have achieved greatness. He could still have summered in the Cascades and chased young women, though he would have been well advised not to marry them, and to go easy on the booze. ■

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Victorian Selection

By RICHARD JENKYNS

Charles Darwin: The Power of Place by Janet Browne

(Alfred A. Knopf, 594 pp., $37.50)

THE FIRST VOLUME of Janet Browne's magnificent biography of Charles Darwin bore the subtitle *Voyaging*; it followed him from England to the other side of the world, to Tierra del Fuego and the Galapagos Islands. Browne now gives us her second and concluding volume, subtitled *The Power of Place*. She means several things by this phrase. She wishes to indicate a sharp contrast between the young adventurer and the mature Darwin: she depicts a man fixed and rooted in the soil of his small estate at Downe on the hills of Kent, avoiding society, seldom absent from his home except for the occasional trip to an English watering place or seaside resort for the sake of his health, not often traveling even the twenty or so miles that would take him into London. But Browne also sees Darwin's achievement as the product of his place in a number of senses—the time in which he lived, the nation to which he belonged, his class, his contacts, his position in society.

This is a book, then, about Darwin in his context. If you want to know what made Darwin unique, if you wonder whether he was a towering genius or merely the most prominent and successful of a number of scientists working in his field, this is not the place to go for the answers. Browne sets herself a different task, or rather two different tasks: to give a full account of Darwin the man, and to show his relationships to his colleagues and to his age. All this she does exceedingly well. Darwin's life is amply documented, and Browne is able to give us a detailed picture of his life and his habits.

So, after a thousand pages, do we know the man? Well, no and yes. Browne judges the presentation of his character wisely. She speculates very little about his interior life. There are few cases, probably, in which we can know much about a person's inner being—biographers who purport to know about such matters are usually impertinent or fanciful or both; and a man as private and reticent as Darwin is especially resistant to such inquiry. Still, Browne gives us a vivid sense of what can legitimately be described: how he appeared to his family, his friends, and the public at large.

Her new book begins in the summer of 1858, with the dramatic moment at which Darwin, who had been cogitating and developing his theory of evolution for some two decades, received a communication from Alfred Russel Wallace, writing from the remote island of Ternate in the Dutch East Indies. Wallace sent an essay revealing that he had independently hit upon an evolutionary theory that was almost the same as Darwin's own. Darwin behaved honorably: he wished Wallace to have the credit due to him. But at the same time he did not want his own labors to go for nothing. Setting aside the vast manuscript that had been designed as his life's work, he began rapidly on what he conceived as a summary of his theory. This was to become *The Origin of Species*, which was published a year later.

Had Darwin died in his mid-forties, it is conceivable that we might be talking about Wallacism today. Wallace, an attractive and admirable man, certainly deserves to be more famous than he is, and it is good that two lives of him have recently been published, as well as a collection of extracts from his writings. But there were several reasons why Darwin was always likely to eclipse him. One was Wallace's genuine and perhaps excessive humility. He insisted on his great inferiority to Darwin, comparing himself to a guerrilla chief who could skirmish effectively on the flanks, while Darwin was a great general with a large strategic sense. Wallace was of humble birth and naturally shy; Darwin's ancestry gave him not only wealth, but the self-confidence and the connections that come with wealth.

Wallace was erratic, moreover, in ways that we may find attractive but which did not help his cause. His socialism marked him, for most people, as an oddball, and his interest in spiritualism was an embarrassment. Since spiritualism was a widespread Victorian fad, this was less eccentric than it might now appear. It has often been suggested that its popularity was as a substitute for religion among those who felt unable to subscribe to traditional belief; but such an explanation has its own difficulties. One might think it rather easier to affirm the Nicene Creed than to believe that the future life will consist of summonses to suburban séances to answer footling questions about somebody's late auntie. Perhaps the vogue for spiritualism was owed more to a kind of scientism—an urge to turn the supernatural into the natural, and to leave nothing outside the scope of demonstrable proof. More prosaically, we can observe that conjurors are clever, and people find it hard to spot their tricks.

In any case, this side of Wallace put a distance between him and his scientific colleagues. And, worst of all, in an article published in 1869 Wallace recanted part of his theory of natural selection, which he now thought could not fully account for man's mental attributes. At some point, he wrote, a higher power had taken over the natural process and infused mankind with an immaterial spirit. "I hope you have not murdered too completely your own and my child," Darwin wrote to him in horror; and in the margin of his copy of Wallace's article he scrawled, "No!!!," underlining it three times.

DARWIN HAS BEEN seen as one of those revolutionaries who overturn an established order, but on Browne's account he was essentially an insider. She represents him as exercising influence rather than as fighting against it, and stresses that the scientific establishment was on his side from the first. Her portrayal of this milieu is one of the most fascinating and authoritative parts of her book. (She is not quite so comfortable when she sketches in the broader Victorian background, and there is a strange blunder on the first page of her first chapter, where the great radical statesman John Bright appears as "Richard Bright.") It is impossible not to be impressed by the generous support of these scientists for one another, and stirred by their disinterested passion for the pursuit of truth. Darwin's backers included his older contemporary Charles Lyell, the great geologist, doubtful though he was about some

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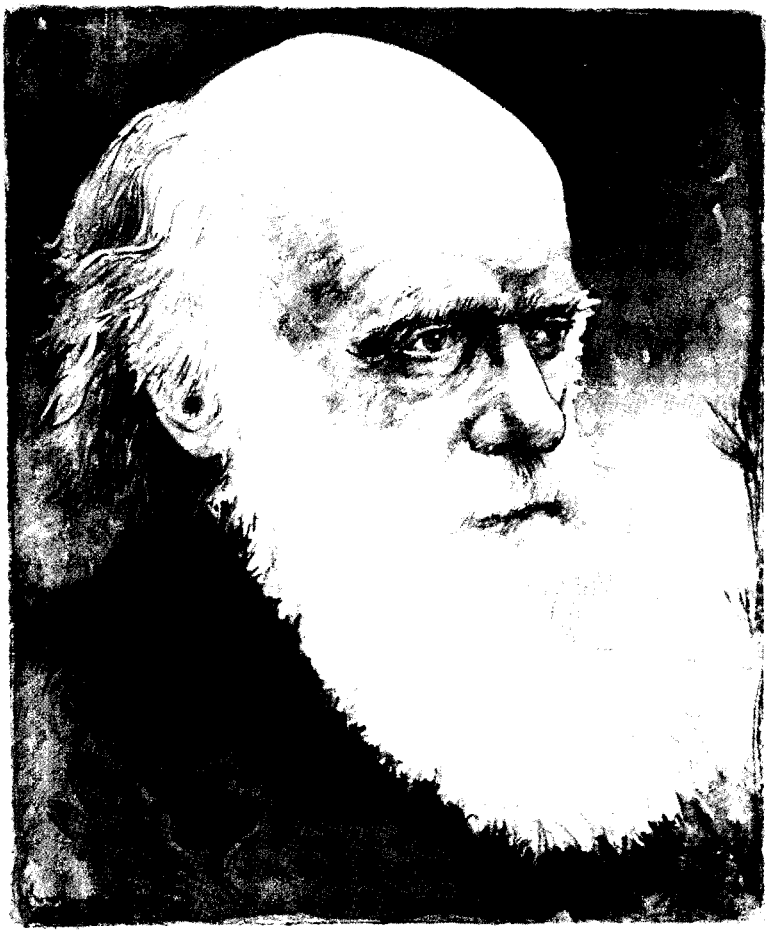
aspects of Darwinism; Joseph Hooker, the leading botanist in England; Asa Gray at Harvard, in effect Darwin's ambassador to America; and T. H. Huxley, "Darwin's bulldog," who advocated Darwin's theory with a pugnacity alien to its originator's temperament. Those scientists who tried to rebut him were on the defensive from the start.

Browne does not quite say that the modern theory of evolution was bound to be originated by an upper-class Englishman in the middle of the nineteenth century, but she does suppose a tight relationship between Darwin's situation and his theory: it is part of her idea of the power of place over his life and work. Like many others, she sees strong connections between Darwinism and other Victorian beliefs and practices, notably capitalism and the faith in progress. I have some doubts about this. It is perfectly true that evolution was a word that was in the air. It was central to Herbert Spencer's philosophy: indeed, Spencer was the man who coined the phrase "survival of the fittest," which Darwin adopted, reluctantly, in some later editions of *The Origin of Species*. But the very fact that evolution was a buzzword may have encouraged people, then and since, to make connections between phenomena that have little in common. We might compare the words "relativity" and "relativism" in the twentieth century, and the way in which popular misunderstandings of Einstein, Heisenberg, and Wittgenstein have been taken to support theories of moral relativism or the indeterminacy of meaning with which, in reality, they have little or nothing to do.

In some ways, the Darwinian struggle looks more like war (a metaphor that Darwin himself used) than like a world of peaceful commerce and manufacture. And perhaps the elimination of unsuccessful species suggests an analogy with Malthusian pessimism more than with the mid-Victorian industrialism that was refuting Malthus even as Darwin wrote. On the other hand, Darwin ended *The Origin of Species* by marveling at the complex interdependence of living creatures. The truth is surely that the natural world is likely to inspire comparisons with a diverse range of human phenomena. Maybe what is most "Victorian" about Darwin is the assertion that processes that seem so cruelly "selfish" are essentially ameliorative. John Murray brought out *The Origin of Species* and Samuel Smiles's *Self-Help* on the same day; has any publisher ever had a double to match it?

Browne's idea of Darwin's "place" includes his place in society. She gives a charming picture of his life in the country at Downe, devoted to his small patch of earth, pacing his grounds (one of his servants regretted that Mr. Darwin had no occupation to take up his time), acting as a local magistrate, chatting with his friend the parson, quarrelling with the new parson (one of the English countryside's oldest traditions), living almost the life of the old-fashioned squire. Almost, but not quite: though Darwin was not exactly "new money," he was not "old land" either.



Charles Darwin by Jack Coughlin for The New Republic

The conventional view has been that English social organization was essentially aristocratic, and that aristocracy was based on land: men who made their money in trade or industry turned themselves into gentlemen by buying country estates and sending their sons to schools and universities where they could mingle with the offspring of older families and acquire the gentry's tone. Conversely, the rules of primogeniture meant that the younger sons of the nobility inherited no titles and little money and had to enter one of the professions. England thus lacked the clear division found in some continental societies between an aristocracy and a *haute bourgeoisie* or *Grossbürgertum*; gentility was a matter not of caste but of inherited prosperity. Charles Bingley in *Pride and Prejudice* and Frank Churchill in *Emma* are examples of young men accepted universally as gentlemen, but whose gentility is only a generation or so deep.

Though this picture is broadly convincing, recent scholarship has shown that it needs some modification. There were a good number of businessmen who remained in the cities from which they drew their wealth, still actively involved in their trade or industry, and unconcerned to adopt the style and pursuits of the aristocracy. Darwin himself was a mixture of the two types, not precisely the traditional kind of country gentleman but not bourgeois, either. His paternal grandfather, Erasmus Darwin, physician, scientist, and didactic poet, was a shining example of the provincial intellectual, town-based.

Most of the family's money came from the pottery business: Darwin's mother, like his wife (who was also his first cousin), was a Wedgwood. Darwin acquired a large house in Kent and in due course some twenty acres around it. Though that may be at least nineteen and a half acres more than most of us possess, it is not a landed estate in the usual sense: Darwin did not draw his income from it, and he was unconcerned with farm management or country sports. He took a keen interest in his stocks and bonds. Darwin's ancestry, in sum, imbued him with the spirit of enterprise; his position gave him authority and

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the confidence that others would do his bidding. He had the leisure and the assurance to conduct a vast correspondence with people from many lands and many backgrounds who could send him vital evidence for his work.

A few observers thought him self-centered, and undoubtedly he expected himself and his work to be the sun around which his household revolved. Like Wedgwood pottery, Darwinism was almost a family business. The butler was instructed to collect flower spikes from a ditch. A society hostess was asked to provide some hothouse orchids from her collection. Darwin's sons were enjoined to gather specimens or bring equipment. A small harem of female assistants helped with the books: Darwin's wife and a family friend improved the style, his daughter read the proofs, and even the younger children were put to work rubbing out their father's pencil marks. The dog Polly, the companion of Darwin's meditative walks around his garden, was conscripted as an object of study. Some of these collaborations have an engagingly amateur, mad-scientist flavor. When he was trying to establish his hypothesis that earthworms could hear, he asked his son to play the bassoon to them. The creatures proving unresponsive, he planted them in a pot that he installed above his wife's piano, instructing her to strike the keys with vigor.

BROWNE'S BOOK SHOWS us that Darwin was above all a naturalist: observation was his first and last love, whereas writing was a chore. Once *The Origin of Species* was completed, he turned gratefully to the study of orchids, and his last work, as an old man, was devoted to those earthworms. Browne offers the extraordinary information that the earthworm book was the best selling of all his works, perhaps suitably for a nation of gardeners. (I remember being required at school to translate a passage from it into Latin hexameters in the style of Lucretius, a form of education that itself now seems as remote as the Pleistocene era.) When he departed from his métier as a skilled experimenter and an exact observer, Darwin was less at ease. He was unable to find the mechanism by which evolutionary change occurred (Mendel's work on genetics remained unknown until after his lifetime), and at one time he developed an odd theory of "pangenesis," whereby cells and tissues developed "gemmules" that could be transmitted to the next generation.

When Darwin wrote *The Origin of Species*, he was on his home ground, describing and analyzing what he knew best and had pondered over many years. But *The Origin of Species* left mankind out of account, though it was obvious from the first that the book's argument had implications for man's evolution, too. Not until *The Descent of Man*, in 1871, did Darwin directly tackle the origins of the human species. Here the argument was necessarily more speculative. He continued to hold that sexual selection was the decisive mechanism, but his theory now had a kink in it: among the animals, he held, sexual selection is made by the female (the peahen picks the peacock with the most gorgeous tail), but among humans the male does the selecting. That is an untidy hypothesis. Being untidy is not necessarily the same as being wrong, of course: the most elegant theory may be too smooth for the messiness and the complexity of reality. The fact remains that Darwin now posited a sharp disjunction between man and all other species, compromising the idea of seamless process that had made his original theory so compelling.

More uncomfortably for us, Darwin attributed most of the differences between existing human races to natural selection. Differences in skin color, he thought, were most likely due to varieties in sexual preference among males in different societies. Natural selection had also made men superior to women, and the more advanced races superior to those less favored. Darwin is not to be blamed for the use to which such ideas were to be put by the bad, the mad, and the honestly mistaken; but we must be glad that his argument was wrong.

"LIGHT WILL BE thrown on the origin of man and his history": this was how Darwin concluded *The Origin of Species*, and it was a sign of his caution that he waited twelve years before venturing to throw that light. Borrowing the phrase that Donald Tovey used for Beethoven, one might call him the most conservative of revolutionaries. He was sexually conservative, certainly. When the professional atheist Charles Bradlaugh was arrested, together with Annie Besant, for publishing a sixpenny pamphlet of contraceptive advice, he wrote to Darwin for support, and was surprised to be not only rebuffed but reproved. Darwin would have nothing to do with the affair. Indeed, he added that if called to court, he would testify vigorously against the defendants, believing that the easy availability of contraception would tempt women into unchastity and thus weaken the bonds of the family, which would be "the greatest of all possible evils to mankind." Browne notes from the evidence of his ten children that Darwin practiced what he preached.

His movement toward agnosticism seems to have been comparably cautious, an evolution within his lifetime almost as gradual as that of species within the life of the world. He claimed that he had not given up Christianity until he was forty and that at the time of *The Origin of Species*, ten years later, he probably still deserved to be called a theist. Late in his life, Karl Marx's disciple Edward Aveling tried to out him, and traveled with a fellow atheist to Downe for an interview. Darwin fortified himself for this ordeal by inviting the former vicar of his parish to provide moral support—surely a significant choice. Despite hard pressure from his guest, Darwin refused to agree that he was an atheist: he preferred the term agnostic. "I feel most deeply," he had written to a friend years before, "that the whole subject is too profound for the human intellect."

Pretty clearly the subject of religion embarrassed him, and probably he was not greatly interested in it. (He may also have had a tenderness for the feelings of his wife, who remained a believer.) Neo-Darwinians such as Richard Dawkins have declared that *The Origin of Species* finished religion off. Darwin would not only have denied this, he would have thought it poor science. Just as Marx said that he was not a Marxist, so after a dose of Dawkins one may be tempted to feel that Darwin was only imperfectly Darwinian. But dogmatic atheism was a rarity before the twentieth century; even the more forthright Huxley (who coined the word "agnostic") claimed to be neither a believer nor a disbeliever but a philosopher of pure reason.

The stories of religious opposition to Darwinism are famous—above all, the notorious debate between Huxley and the bishop of Oxford, "Soapy Sam" Wilberforce, at the meeting of the British Association for the Advancement of Science in 1860. Wilberforce got rattled, and the public was able to enjoy the unusual spectacle of a bishop hitting below the belt. The occasion was also marked by a terrible and poignant intervention when Robert FitzRoy, who had been captain of the *Beagle* when Darwin made his voyage on it and was now on the verge of insanity, rose to denounce the man whom he had once so greatly benefited.

But it seems fair to conclude from Browne's evidence that the effect of *The Origin of Species* on the faithful was not quite as shattering as has often been supposed. Baden Powell, a leading liberal Anglican, hailed it as "a masterly volume." Charles Kingsley, the most prominent

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spokesman for broad-church, muscular Christianity as well as a good zoologist, wrote that he had learned from it "that it is just as noble a conception of deity to believe that he created primal forms capable of self-development ... as to believe that he required a fresh act of intervention to supply the lacunas which He himself had made." Across the Atlantic, Asa Gray composed a pamphlet explaining why natural selection was compatible with natural theology; Darwin himself expressed admiration, though not agreement. Lord Salisbury—Tory, passionate high churchman, amateur scientist, and future prime minister—offered Darwin an honorary degree from Oxford, of which he was chancellor (though for complicated reasons Darwin never actually received it); the honorary degree from Cambridge, Darwin's own university, followed some years later.

It was the geologists, Lyell above all, who had made belief in the literal historicity of the Book of Genesis impossible. And the idea that species had come into being across eons of time was already familiar. What Darwin's theory did was to deny the immutability of species and thereby to dispose of the possibility that God had intervened occasionally with a "special creation." But such a "God of the gaps" hypothesis, whereby God occasionally adjusted a natural order which otherwise ran itself, had never been comfortable: it was more like deism, anyway, than orthodox Christianity. It is arguable that Darwin even did the theologians a favor by forcing them to back to the position that God underlies all natural process, which seems to be idea that Kingsley was expressing. At all events, *The Origin of Species* did not strike religious belief as a bolt from the blue; it is better seen, fittingly enough, as an important event in an evolutionary process—the development of scientifically inspired agnosticism and the adaptation of religious apologia to accommodate the discoveries of modern science.

The fact is that Darwin's country was proud of him. *The Origin of Species* made him famous, but he soon developed into a national institution, and then into a national treasure. Like Gladstone, the prime minister at the time of his death, he was the master, no doubt unconsciously, of image. His long beard, grown a few years after the publication of his masterpiece of 1859, was a gift to cartoonists, as were his snub nose and his jutting forehead, which made him readily caricaturable as an ape. His reclusiveness merely enhanced his charisma; his self-effacement and manifest integrity led to his being regarded as a kind of secular saint. Other giants of Victorian science—James Clerk Maxwell, Lord Kelvin, Sir Joseph Thomson—have been eclipsed by him: a hundred people have heard of Darwin for every one who has heard of them. He became what we now call an icon, and he remains, after Einstein, the most familiar by appearance of all scientists. He is now depicted on the ten pound sterling banknote, making Britain surely the only country (except presumably Ecuador) to have Ecuador depicted on its currency. (Jane Austen was allegedly considered for a similar honor but rejected on the grounds that she lacked a beard, which is supposedly difficult for forgers to cope with.)

Darwin, who seems to have been genuinely modest, concluded that his chief merit was perseverance. As he aged, he contemplated his own life with the careful, dispassionate attention that he gave to his observations and his experiments. In a memoir meant not for publication but for his family, he declared that he was writing "as if I were a dead man in another world looking back at my own life," adding, "nor have I found this difficult, for life is nearly over with me." There speaks the naturalist, observing neutrally and with detachment; but in this spare, faintly bleak outlook we also catch a touch of chilliness that in another sense is not quite natural. "We are cool fish, we Darwins," said one of his sons.

His death was of a piece with his later life—calm, sensible, paternalist, domestic. "I am not the least afraid to die," he told Emma. "Remember what a good wife you have been." He had hoped to be buried in Downe churchyard, beside his brother and his two dead babies, "the sweetest place on earth," as he had once told a friend. But the establishment claimed him for its own, and his widow yielded to the request that he be buried in Westminster Abbey. Darwin's old butler reported the feeling in the village that he would have preferred to rest in the place that he loved, the landlord of the George Inn being especially disappointed at the loss of custom from pilgrims to the graveside. The pallbearers in the Abbey included not only Darwin's scientific collaborators Wallace, Huxley, and Hooker, but two dukes and an earl, the president of the Royal Society, and the American ambassador. He was "the greatest Englishman since Newton," declared the *Pall Mall Gazette*; and the two men now lie very close together. Polly the dog died a few days later. She at least was allowed to lie among the earthworms, in the chalky downland soil: Darwin's son Francis buried her under the Kentish Beauty apple tree in the orchard. ■

The Man Who Saw Too Much

By RUTH FRANKLIN

What I Saw: Reports From Berlin by Joseph Roth translated by Michael Hofmann

(W.W. Norton, 227 pp., $23.95)

MANY NOVELISTS BUILD much of their fiction on similar templates of plot or character; when this works, re-encountering types who are already familiar gives a sense of ubiquity rather than of repetition. It seems natural that some people or places will remind us of others, just as strangers may remind us of our own friends. For Joseph Roth, the usual narrative takes place toward or just after the end of the Austrian empire, and the characters prominently include a man, middle-aged or older, for whom the empire was the entire world. There will also be a man of the next generation, possibly the first man's son or son-in-law, whose apprehension about the future is more powerful than his grief for the past. There is a voluptuous older woman, perhaps of indeterminate ethnic background, who plays the part of a siren. And often the newspapers themselves make a brief

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appearance as a kind of secondary character, usually to serve as an outlet for the novelist's irony.

Consider Roth's novella "The Bust of the Emperor," originally published in 1935, which is cut loosely to the pattern of the writer's own life story. Like many of Roth's works, it takes place in a fictional Galician village that happens to share certain geographic and demographic features with Brody, Roth's hometown. And its protagonist, Count Franz Xaver Morstin, can be seen as a sort of clownish, parodic stand-in for the author, an amalgam of his various traits, real and imagined. Count Morstin served in the army as a young man, like Roth and so many of his heroes; and he thinks of himself as neither Polish nor Italian, like his parents, but—again like Roth—as "the noblest and purest type of Austrian there can be, which is to say: he was a man beyond nationality and therefore an aristocrat in the true sense." He is so loyal that he keeps a sandstone bust of the emperor at the entrance to his estate; and if a friend speaks disrespectfully about the emperor, the count breaks off their relationship.

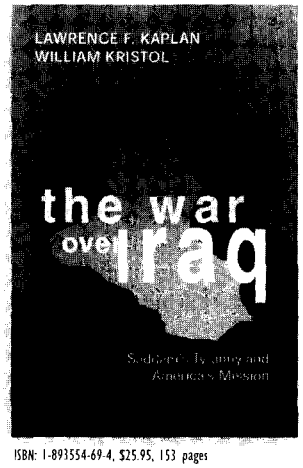
When World War I erupts and the count must leave for the army, he buries the bust in his cellar, and there it remains after the war, when the town falls under Polish control. As the years go by, the count realizes that he is the only keeper of the imperial flame left. He brings the bust out again, and, ignoring the laughter of his neighbors, he starts wearing his old Austrian army uniform. Finally the local authorities instruct him to desist. Very well, he says, but if he has to bury the old world, he will bury it with dignity. The count has a Ukrainian joiner build a special coffin, and he asks a Polish blacksmith to smelt a double eagle, and he commissions a Jewish scribe to copy out a blessing. Then he leads the entire village in a processional to the cemetery, where the emperor (or, rather, the bust) is "buried for the second time." Roth concludes this mock-heroic funeral by noting that the newspapers carried a report of the proceedings, but not until a few weeks later. "They wrote them up in a few lighthearted words," he writes, "under the heading 'Marginal Notes.'"

Roth was known for his multiple loyalties and multiple identities, and in this funeral scene he appears in many of his guises, like a single actor playing all the parts. Yet each version is only a part of the truth. Roth's fiction is obsessed with resurrecting and burying the Austrian empire, but he was no costumed fanatic like Count Morstin. Roth was a Jew exercised by Jewish life, but he was nothing like the pious Torah scribe, and when such Jews do appear in Roth's work, their black hats and long beards are depicted exotically, almost anthropologically. Roth was a journalist, but his work has nothing in common with the rumor-mongering of what the narrator of this story calls "those mindless scribblers called reporters." And yet the funeral of the emperor's bust was just the sort of event he might have written up himself.

ROTH STARTED WRITING for newspapers in 1919, when he was twenty-five. With the exception of a few years at the University of Vienna, he had spent all his life up to that point in the eastern reaches of the empire: he grew up in Galicia not far from the Russian border, he began college in Lvov (then Lemberg) before transferring to Vienna, and he served in the Austrian army on the eastern front, where he may have worked as an army reporter or censor. After the war, he arrived in Vienna penniless, but his journalistic career took off quickly: he was soon fielding commissions from multiple papers, and in 1920 he moved to Berlin, which was at that time the center of German-language journalism. Three years later he became a correspondent for the *Frankfurter Zeitung*, one of Germany's leading newspapers.

When Roth returned to the east—his work would take him to Russia, Poland, and Albania, along with many other countries—it was as a star: he was one of the highest-paid reporters of the time. (Some of his essays about Eastern Europe were published in English a few years ago under the title *The Wandering Jews*.) And he had a healthy estimation of his own talent. In his introduction to Roth's collected stories, Michael Hofmann recounts an anecdote about Roth "giving himself airs" among his colleagues on a reporting trip to Albania in 1927, strutting around apparently under no pressure to produce and boasting that he wrote only "for posterity." The other journalists were appropriately gleeful when a telegram arrived demanding Roth's copy. "Who's that from?" they asked. "Posterity?"

Though he may have relished the excitement of being a foreign correspondent, *What I Saw*, a collection of literary sketches of the genre known as the feuilleton, shows that Roth did some of his best work at home. The feuilletonist's mission was not to report the news of the day or to argue a political point, but to present a series of witty, entertaining thoughts about the vicissitudes of daily life—"subtle, clever, *human* observations,"



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"Anyone who harbors doubt about the imperative of regime change in Iraq for the vital security interests of the United States should read this book."
–Senator John McCain

THE CASE FOR WAR

Lawrence Kaplan and William Kristol look at Saddam Hussein and see the face of evil. In his Iraq, the children of those suspected of disloyalty have their eyes gouged out, and women are threatened with rape by secret policemen to extort support from their husbands. The authors show how minorities are dealt with ruthlessly, particularly the Shiites and Kurds, whom Saddam subdued with poison gas. The same genocidal techniques he used against his own people—nerve gas and cyanide—also characterized Saddam's war against Iran.

In addition to examining Saddam's brutality and the threat his weapons of mass destruction poses, Kaplan and Kristol analyze the failure of American policy on Iraq since the Gulf War. The first Bush administration regarded Iraq as a move on a diplomatic board game, and failed to remove Saddam when it had a chance. The Clinton administration subscribed to a brand of wishful liberalism that led it to avoid facing up seriously to Saddam's threat. But President George W. Bush, the authors show, does not intend merely to contain Iraq. Instead, he plans to liberate this benighted country, and create democracy in a place that for decades has known only tyranny.

Kaplan and Kristol provide a definitive analysis of the Bush Doctrine and how it is shaping a foreign policy that projects American influence on behalf of American interests and human freedom. They make the case for war. But they also offer a roadmap for a more hopeful future in Iraq, the Mideast, and the world.

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as Roth's first editor in Vienna put it. But the feuilleton was more than a literary playground; it was a crucial element of the European journalistic tradition, practiced by some of the most distinguished writers of the day, including Alfred Polgar, Stefan Zweig, and Robert Musil. And Roth took his work quite seriously. "It's not possible to write feuilletons with your left hand," he wrote in a note to his editor at the *Frankfurter Zeitung* in 1926. "The feuilleton is as important as politics are to the newspaper, and to the reader it's *vastly more important*.... I don't write 'witty columns,' I paint the portrait of the age.... I'm not a reporter, I'm a journalist; I'm not an editorial writer, I'm a poet."

The first piece in this volume is titled simply "Going for a Walk," and when the collection was first published in German in 1996, the editor of that book, who also worked as a tour guide, half-seriously proposed that it could be used as a guidebook to the city. But Roth was no "camera with its shutter open ... recording, not thinking," as Christopher Isherwood described himself in his *Berlin Diary*. The book places Roth firmly in the tradition of literary walkers, from Dickens and Baudelaire to Joyce and Kafka. It also situates him in a journalistic tradition: his writing is strikingly similar to (although, for obvious reasons, an unlikely influence on) the work of the great reporter Joseph Mitchell, who profiled the poor, the eccentric, and the seedy in New York in the 1930s and 1940s. If you did use Roth's book as a guide, there are places in it where you might not want to walk alone.

Roth wrote about an astounding range of topics, from department stores and wax museums to the assassination of Walter Rathenau. But no matter what his subject, his primary interest is the ubiquity of human wretchedness. In "The Unnamed Dead," originally published in 1923, he describes viewing photographs of corpses at police headquarters: "It's a grisly exhibition drawn from the whole grisly city, in whose asphalt streets, gray-shaded parks, and blue canals death lurks with revolver, chloroform, and gag. This is the hidden side of the city, its anonymous misery." Roth often found comedy among all this gloom and shadow, but it is the misery that lingers. "I don't know if people in hell look as ridiculous as they do here," he wrote in an earlier piece called "The Steam Baths at Night." "If the fashion there is for them to be likewise stripped naked, then they will do, for all their grimness and tragedy. I have a feeling that the witching hour does something to exacerbate the already intrinsically comical condition of nudity. It's such a bizarre notion that between midnight and 2 a.m. there are people being steamed." It is impossible to chuckle without remembering that these people are spending the night in the steam baths because they have nowhere else to go.

In one of the essays Roth calls himself an "apolitical observer," but the most salient characteristic of this collection is its political conscience. In an essay called "With the Homeless," written in 1920, he displays the most personal type of political engagement: the ordinary man's outrage at a law that hurts his fellow citizens, in this case a decree mandating prison for a homeless man unless he finds housing within five days. "Isn't it rather the case," Roth asks, "that *finding* accommodation within five days in Berlin in these days should be taken as proof of criminality?" The hand of the government, in his view, is unerringly poisonous. Even the trees on Prenzlauer Allee, the site of a homeless shelter, are trees "not by nature but by municipal decree."

The quirkiest, most quintessentially Rothian essays in this book still retain this political electricity. One describes a visit to a man who has built a replica, on a scale of 1 to 70, of Solomon's Temple. It begins with one of Roth's characteristically delightful observations—that Solomon "reigned at a time when history was still proceeding backward, namely from 1015 to 975 B.C."—and it proceeds as a simple description of Roth's visit to the temple, with details on the seventy-two golden chairs for the judges of the Sanhedrin and the fifteen steps of the Levites. But it ends with the abrupt observation that "no one comes to Hirtenstrasse," the center of the Jewish quarter, "to see the Temple of Solomon. The people are republican and godless." From Roth's description, however, one is more inclined to think that it might be the unpleasant, impoverished surroundings that are keeping people away: his observations on the Jewish quarter leave the reader with another vision of hell in Berlin.

Similarly, an essay from 1923 called "Schiller Park" reads like pure elegy, and pure poetry. But again Roth's political sensibility is unmistakable.

> In the Tiergarten, for instance, a melancholy walker can positively wade through foliage. This sets up a highly poetic rustling and fills the spirit with mournfulness and a sense of transience. But in Schiller Park, the locals from the working-class district of Wedding gather up the leaves every evening, and dry them, and use them for winter fuel.
>
> Rustling is strictly a luxury, as if poetry without central heating were unnatural.
>
> The rosehips look like fat red little liqueur bottles, distributed for promotional purposes. They fall from the trees free of charge, and are collected by the children. The park wardens look on, feeling no alarm. For they have placed their trust in the Lord, who feeds the wardens in the fields and arrays them in local-authority caps.

Toward the end of the 1920s, Roth's writing moved from reflections on the panopticon or "passengers with heavy loads" (a phrase of found poetry he picked up from a sign on the S-Bahn) to a more overt activism. By the book's last essay, "The Auto-da-Fé of the Mind," written in 1933 in response to the Nazi book-burning, he has abandoned his witty pose. "Let me say it loud and clear: the European mind is capitulating," Roth began this article, which indicts not only Nazi Germany—"the technical apotheosis of the barbarians ... the mechanized orang-utans, armed with hand grenades, poison gas, ammonia, and nitroglycerine"—but all those who closed their eyes to it. "As the smoke of our burned books rises into the sky, we German writers of Jewish descent must acknowledge above all that we have been defeated," he writes. "Let us, who were fighting on the front line, under the banner of the European mind, let us fulfill the noblest duty of the defeated warrior: let us concede our defeat." This elegiac collection ends on a look to the future that is as bombastic as it is prophetic.

Roth's prose in many of his essays is equal to anything that he wrote in his novels. And he initially did not insist upon any separation between his journalistic work and his literary work. To the contrary: when he began to write novels, they were serialized in the newspapers alongside his feuilletons. But Roth's exile to France in 1933 brought this phase of his journalistic career to an end. And even before then, signs of his ambivalence toward journalism had begun to appear in his fiction. Newspapers come up in many of the novels, but, as in "The Bust of the Emperor," usually with negative connotations. In *Flight Without End*, which appeared in 1927, one character, a Pole living in Siberia, makes a point of bringing back newspapers from the nearby town on occasion, but he believes "neither the news nor the articles; he did not even trust the advertisements." In Roth's last novel, *The Emperor's Tomb*, newspapers are the last-resort money-making scheme of the

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protagonist's father-in-law, who is an opportunist indifferent to the kind of business he invests in so long as it offers him a good return.

Ironically, these lines could easily have been serialized in the newspaper just pages away from one of Roth's feuilletons. But in his own mind he had already set himself apart from the scribblers. This was just one of the many contradictions around which Roth built his life and his art. He was famous for his exaggerations about his life story, the fictional experiences and identities that he claimed for himself; but in a certain way he really did manage to combine a multitude of qualities. He was an Austrian cosmopolitan, a "citizen of Europe," but he was also a provincial Jew from a town in the borderlands. He was a well-paid and prolific newsman who could bang out short pieces with his left hand, but he was also a serious novelist. And he was an observer of his own time, the painter of the portrait of the age; but he was also the threnodist of an imperial idyll that even he must have known had never really existed. Even in its most sentimental moments, Roth's great elegy for his time is always complicated by irony: when he resurrects the empire, it truly is only to bury it again.

One can see the obvious effects of serialization on the structure of Roth's novels, with chapters that tend to jog the reader's memory at the beginning by repeating crucial events from the previous week. But his newspaper work had a more profound influence on his fiction as well. The political conscience that Roth could not hide in his feuilletons is a driving force in his novels, which are often concerned with the plight of the underdog, the little man, the disenfranchised. Some critics have taken as a detriment to his art Roth's need always to have a point, which can manifest itself in somewhat unsubtle narrative interventions. But this can also be seen as a necessary consequence of Roth's deliberate antiquarianism. His weighty foreshadowing, like his books' ubiquitous border taverns and damson-plum dumplings, is a relic of an earlier time.

ROTH WAS ESSENTIALLY a nineteenth-century novelist. His great subject was the Austrian empire before and just after World War I, and he wrote about it as if he were still one of its citizens. His works bear little relation to the great swell of modernism that was breaking around him, the modernism of Joyce and Musil and Kafka; they are the carefully preserved antiquities of a mind that resisted the revolutions of the 1930s with all its strength. (In a sensitive essay called "A Kaddish for Austria," W. G. Sebald similarly remarked that "the most notable thing about Roth's literary work is that, during a period when the novel had grown into a hypertrophic genre, it honors the art of storytelling once more.") Roth was concerned not with formal or linguistic experimentation, or with the exploration of subjectivity, or with any of the other literary excitements and aesthetic trends of the era. No matter what genre he was writing in, he sought a realism that is reminiscent of Dickens and Balzac. He looked not inward, at his own consciousness, but relentlessly outward, at the world in which he lived. He was known for his self-aggrandizement, but his writing is notable for its lack of self-centeredness. Like his great nineteenth-century forebears, he strove to capture the historical world, to "write it up," to paint the portrait of the age. This was in some ways a deeply anti-modernist enterprise, and its anachronistic quality lends a certain timelessness to Roth's fiction and even to his journalism. Roth's colleagues may have teased him about writing "for posterity," but time has proved that the joke was on them.

But Roth's style, or rather his utter lack of interest in style, is the source also of his limitations. His nineteenth-century techniques do not always live up to his twentieth-century subjects. Especially toward the end of Roth's unusually prolific career, one can sense a frustration in his work. By the mid-1930s, he had tried out (and excelled at) nearly every genre: the wartime epic, the mystery novel, the immigrant's tale. Yet this virtuosity, rather than a sign of innovation, gives the sense of a mind spinning its wheels. Had Roth pushed his imagination as far as it could go?

There is something puzzling about Roth's attempt to take on the most pressing and unprecendented issues of his day with a calculatedly anachronistic style. It can be difficult to remember that he was a contemporary of Kafka and Schulz. Yet even his lesser novels—many of which have been recently re-issued in paperback—are still worth reading, and not only because they are so various. As one reads on in Roth's work, there is the pleasant surprise of meeting the same characters again and again—not just the same types, but actually the same characters, refugees from a previous novel making a cameo appearance in the current one. This is just one sign of the organic unity of Roth's fictional universe. All these works, different as they are, are pieces of a single grand edifice, of a writer's own empire. It is an old-fashioned construction, made of bricks and mortar rather than of glass or poured concrete, but it is built to last. ■

CORRESPONDENCE

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guy" over the "little guy." As proof, Siegel assails the George Costanza character, from "Seinfeld," for seeming "sociopathic (in the bad sense)." Of course Costanza was a sociopath—that was his raison d'être! But Costanza wasn't a vehicle through which David "expressed his rage." As David made plain in "Seinfeld"'s finale, each of the program's characters was crass—laughably, even criminally so. That was the show's innovation, such as it was. As for "Curb Your Enthusiasm," Siegel allows that "David should get credit for placing [Richard] Lewis's fine despairing anger against his own pettiness." Well, he certainly should. Characters like Lewis exist to point out that pettiness is the keystone of David's character. What makes David's work complicated is that his protagonists are deliberately unsympathetic. Maybe we've been trained to accept unlikable characters only in "sophisticated" media—in novels, say. But moral ambiguity like David's should be welcomed in storytelling. If we accept Milan Kundera's assertion that the essence of good fiction is an irony that transcends ideological certitudes—an irony that is more than some misomusistic pretext for "set[ting] the spiritual order right"—then isn't "Curb Your Enthusiasm" subversive indeed?

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LEE SIEGEL REPLIES:

Thanks to Professor Strauss for taking time away from his classes to write, but I wasn't thinking of moral ambiguity, or Milan Kundera, or ideological certitudes, or comedic personas, or "misomusistic" (is that a soup for Japanese violinists?) pretexts. I simply inquired as to why people find the "pratfalls," as I called them, of such a rich and famous "unsympathetic" character so funny (envy?); and why people find it funny to watch this rich and famous character humiliate other people (a vicarious pleasure in humiliating other people?). I guess I ended up implying that David's admiring audience is made up mostly of unsympathetic characters. ■

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BROOKLYN DIARIST

Game Boy

RECENTLY, A NEW ADDITION to our household has taken up an enormous amount of my husband's time, drawn his friends to our apartment in elated droves, and reduced these grown men to sub-verbal states. No, unlike most young-marrieds in our neighborhood, we haven't added a baby to our family; we've added a gaming platform, on which my husband, Justin, and his friends have been playing a new breed of video games significantly racier than the joystick fantasies of our teens. The draw started with "Grand Theft Auto: Vice City," which came out this fall and has my otherwise evolved friends and family running down hookers with stolen cars. But, when I heard about "BMX XXX," sick curiosity and my internal homing device for hot spots in gender politics sent me straight to the video-game store.

"BMX XXX" IS A NEW GAME THAT SIMulates cycling. Sound boring? How about curvy women cycling in pasties and a thong? Justin and a friend devoted a recent afternoon to the virtual endeavor while I sipped vanilla tea and played occasional backseat driver (all for the sake of research, of course). In the game, you select every aspect of your player. If you choose to play as a female character, you get to customize her look—Jessica Rabbit red or Britney Spears pigtails, for instance. Our rider ended up as a brunette (that's Justin's personal preference) in pasties and a white lace thong (that's not, thank you). Setting the weight and proportion factors of our vixen, preprogrammed to be named "Hellkitty," we were able to get her down to 75 pounds—the game's estimate—without sacrificing her robust, D-cup curves. Then Hellkitty hopped on her bike, her rear bare but for a thread of white between the cheeks. Let the games begin! The mission is to accomplish a set of tasks, which range from innocuous bike tricks to serious acts of mayhem, like ramming over a hot-dog cart, doing errands for ne'er-do-wells, and picking up prostitutes on the back of your bike and delivering them to the local pimp. The reward for success in these half-pipe tricks isn't a high score; what you get for your wheelies and still-stands is footage of real-life topless strippers from Manhattan's infamous gentleman's establishment Scores and—if you do well enough—the chance to watch your player ride topless. If two people play, they can compete against each other in a variation on strip poker: The losing biker's clothing disappears garment by garment.

WHEN THE PARISIAN CARRIAGEbuilder Pierre Lallement invented the bicycle in 1862 this was likely not what he had in mind. This new sport does more than challenge the standards of decency in the boys-will-be-boys world of gaming. By allowing boys (or grown men) to control a topless woman as their player, it could give a boost to both radical anti-porn feminists and conservatives who campaign against youth exposure to media violence and sex. Even the most radical anti-porn activists and theorists grant that the consumption of pornography—those lonely blue-glow moments—is an inherently passive thing, and historically it has been their burden to demonstrate how something so passive can connect with the active consequences they suggest: what scholar and activist Catharine MacKinnon calls "women's lesser entitlements—not to be raped, dehumanized, molested, invaded, and sold." In her book *Only Words*, MacKinnon argues that pornography constructs "the social reality of what a woman is and can be in terms of what can be done to her, and what a man is in terms of doing it." U.S. law and the larger society have taken a more libertarian view: Speech and conduct are different; porn has traditionally been the former and, importantly, not the latter. But, in this game, the player is both consumer and pornographer. The old divisions between speech and conduct are collapsed.

IT'S HARD TO FIND PORNOGRAPHY studies not funded by a women's advocacy organization and therefore not geared toward demonstrating a link between viewing porn and sexually violent thoughts or behavior. But some exist, and they do bear out the feminist fear. Mike Allen, an associate professor of communication at the University of Wisconsin-Milwaukee found in a meta-analysis published in 1995 that pornography consumers tended to develop philosophies that absolved rapists of personal responsibility for their actions. Why does this matter? Because, when you combine the effects of watching pornography with studies of video games and violence, you get a sense of the very real effect of the new cycling game. In the April 2000 *Journal of Personality and Social Psychology*, two studies under the umbrella title "Video Games and Aggressive Thoughts, Feelings, and Behavior in the Laboratory and in Life" found that violent video-game play outside the lab led to increased long-term aggressive behavior and delinquency, just as lab-based video-game experiments led to increased short-term aggressive behavior and thought. Interactivity—the inherent difference between video games and other forms of visual communication—is key to this development. According to "Fair Play," a 2001 study by the California-based liberal nonprofit group Children Now, "Video games' unique interactive capabilities may make them even more likely to influence children's attitudes, beliefs and behaviors than more traditional forms of media." And, not surprisingly, the effects measured in their study and others extend to "belief in gender stereotypes and increased aggressive behavior."

"BMX XXX" HAS MANY PARTNERS IN misogyny in the world of video-play. "Grand Theft Auto" has boys genuflecting, parents hand-wringing, and Justin apologizing profusely when he boots up after dinner to deliver virtual hookers to their mob-boss headquarters, occasionally bumping off a few streetwalkers along the way. The new "Dead or Alive Xtreme Beach Volleyball" closely emulates "BMX XXX" with its barely bikini-clad ball-spikers, even outdoing "BMX" 's customizing option with a control that allows you to set the "jiggle factor" of your player's breasts. (The game is rumored to be offering a topless edition next season.) Next year will see the release of what may be the archetype of all subjugation games when Hugh Hefner unveils his game based on life at the Playboy Mansion. But, to date, "BMX XXX" is the industry leader.

IN THE CONCLUSION TO *ONLY WORDS*, MacKinnon imagines a day when "artifacts of these abuses will reside in a glass case next to the dinosaur skeletons in the Smithsonian." With "BMX XXX," sadly, that day seems quite a bit further off. And, when it comes, the glass case will have to fit not just video cameras and tapes but the discarded gaming platforms that delivered gender-training with a virtual dirt bike and a pornographic God complex.

LAUREN SANDLER

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Kicking the Vietnam Syndrome

H. R. McMaster is a national security affairs fellow at the Hoover Institution and author of *Dereliction of Duty: Lyndon Johnson, Robert McNamara, the Joint Chiefs of Staff and the Lies That Led to Vietnam.*

For a brief period, it seemed that the 1991 gulf war had put an end to the Vietnam syndrome—a belief that the United States should avoid military intervention abroad. The painful memory of America's long, costly, and divisive war in Vietnam, however, retained its influence on the American psyche. Recent protests over impending military action against the Iraqi regime again invoke the tragedy and the analogies of Vietnam. Those simplistic analogies suited the purposes of their purveyors because America's collective memory of the war has become more symbolic than historical. To judge better the value of the inevitable Vietnam analogy, we might ask what, if anything, we can learn from our painful experience in Southeast Asia.

Most historians, sensitive to the complex causality of historical events, would answer cautiously. What good is history, however, if we cannot learn from experience? If we neglect previous mistakes are we not, as philosopher George Santayana suggested, doomed to repeat them? Indeed, the desire to learn from Vietnam remains one of the war's enduring legacies.

The first step in learning the *right* lessons is to become familiar with the historical record. It may be the uniqueness of how America went to war in Vietnam that is most instructive. There was no clear decision for war. Instead of exercising leadership, President Lyndon B. Johnson sought to avoid a decision and preserve a fragile consensus built on lies and deceptions. The administration's dishonesty allowed the president to circumvent the Constitution and deny the American people a say in the most important question a nation must face. As a result, Americans were at war before they even recognized that fact. LBJ's behavior was not only undemocratic but also removed correctives to what was an unwise policy. Not surprisingly, the way in which the United States went to war had a profound impact on the conduct of the war, its outcome, and its legacy.

President George W. Bush's approach to the current Iraqi problem stands in stark contrast to LBJ's approach to Vietnam. The Bush administration made its case for military action, and, after considerable debate, the American people, through their representatives in Congress, gave approval. The administration also made its case to the United Nations, highlighting the damage that inaction would inflict on prospects for peace in the long term.

Although the dangers of careless military activism are easy to imagine, the cost of passivity is more difficult to discern. In the 1990s, the Vietnam syndrome helped delay and limit U.S. military intervention in the Balkans. Those delays and limits extended murderous Serbian repression and actually accelerated ethnic cleansing in Kosovo. Failure to intervene militarily often permits humanitarian crises to continue and leads to more dangerous conflicts.

Rather than helping us avoid folly, the symbolic memory of Vietnam poses a danger. Recognizing most Vietnam analogies for what they are—attempts to evoke emotion rather than invoke historical reasoning—can help minimize that danger. It seems as if the George W. Bush administration has kicked the Vietnam syndrome. Maybe it is time for the rest of us to do the same.

— H. R. McMaster

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